PRESBYTERY DISPLAY'D,

FOR THE

JUSTIFICATION

Of ſuch as do not like the

GOVERNMENT,

And for the

BENEFIT

Of Thoſe that do not underſtand it.

Omne Ignotum *pro* Magnifico *eſt.*

Tacit. Jul Agricolæ vita.

The Fourth Edition Corrected.

LONDON,
Printed for *Henry Brome* at the *Gun* in St. *Paul's Church-yard.* MDCLXXXI.

The Preface.

THis little Treatiſe *was Printed in* 1644. *in form of a Letter: but upon peruſal, finding it was well calculated for* 1663; *I have preſum'd to ſend it into the World once again, and ſuch as I found it, to a ſyllable, ſaving only the change of the* Title, *and the Addition of this* Preface.

It came to my hand with the Authority of a very Judicious and Honourable Perſon; Whoſe Name ſhould now warrant it to the Publick, but that it carries its own Juſtification within it ſelf.

The Subject it treats of, is, The Holy Diſcipline of the Kirk, *and it is handled with that* Order, Clearneſs, *and* Modeſty, *which does abundantly witneſs the Author of it to have been a great Maſter both of his* Pen *and* Paſſions. *It exhibits, in fine,* The PLATFORM OF PRESBYTERY; *ſo pertinently, and ſuccinctly couch'd, that in an Hours time a man may give himſelf a full Proſpect and Account of the whole Myſtery.*

R. L'Eſtrange.

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SIR,

Presbytery displayed.

SIR,

YEsterday you desired me to give you some Proofs, by which it may appear how inconsistent Presbyterial Government is with Monarchy. You were pleased to tell me that some good and worthy men do desire to be satisfied in this Point.

It seemeth, these men do not think that *Presbyterial Government* is destructive of the true necessary and perpetual Government of the Church, which is Episcopacy; instituted by Christ, propagated by his Apostles, and continued by uninterrupted practice above 1500 years in the Church, and to this day retained in the greatest part of the Christian World. We deceive our selves, to promise or expect to King or Kingdom, Prince or Subject, Peace and Safety, or deliverance from our troubles and distresses, if we subordinate Fundamentals in Religion, necessary truths of Faith, Worship and Government, to our publick or private civil good. Nor am I able to express how high an Impiety it is, at this time when God's hand is out against us justly for our sins, to be so disposed and fixed upon a resolution, that to redeem external Peace, we will imbrace any Government of the Church, provided it be consistent with Monarchy: and will not scruple, not only to shake off the true and necessary Government instituted by our Lord: but, by Law, endeavour by highest Authority to condemn it as Antichristian. If this *be not to frame mischief by a Law*, I know not what is. If this provoke not more wrath, more vengeance, make not the Land spew us all out, I am infinitely deceived. We may promise to our selves that by such a course we may say like to the man in the Gospel. *Soul, take thy rest for many days*; but, it feareth me the success and event shall be much like to his case. Sir, I pray you consider what Peace hath King or Kingdom enjoyed here or in *Ireland*, since Episcopacy in *Scotland* by Law was damned, and the Presbyterian Anarchy (the Seminary of all feud Faction and Rebellion as will appear by what ensueth) by Law and Supream Authority established.

I cannot dissemble, but to a man of your worth and integrity I must unfold my self: I admire to see too too many amongst us here (where is great plenty of able Gentlemen of excellent Learning, worth, wit, and all other perfections and endowments, as in any Nation besides) to be so prepared that they are too too inclinable, if not actually resolved

reſolved, to admit and authorize in this Kingdom and Church what they know not: and ſo forſake that happy Native proper Government of the Church, the ſweet fruits of which they have reaped ſo many years to the admiration, if not envy, of other Kingdoms, States, and Churches. This is *Samaritan*-like, to *worſhip that we know not*. Or, *Athenian*-like, to conſecrate an Altar and to ſacrifice *to an unknown God*.

Joh. 4.
Act. 17.

Your worth and noble Favours oblige me ſo much to you, that I cannot chooſe but obey your command. And, for your ſatisfaction, I preſent you with a ſhort view (as in a Map) of Presbyterial Government; give you a little touch of their Maxim, and ſuitable Practices, and that with as much truth and honeſty as your goodneſs expects from me. By which it will be more than apparent, that *Presbytery* as it is at this day ſomewhere within his Majeſty's Dominions, is not only *inconſiſtent* but alſo *deſtructive of Monarchy*; And where it obtaineth, it diſturbeth the quiet and peace publick and private of King and Kingdom. This is that you deſire, and, to ſatisfie you, to this I confine my ſelf.

This Presbyterial Government within its Verge hath four Judicatories. 1. *A Parochial Seſſion.* 2. *A Presbyterial Conſiſtory* 3. *A Provincial Synod.* 4. *A General Aſſembly.* The *Parochial Seſſion* moveth in the loweſt Sphere. The General Aſſembly is the *Primum mobile*, the higheſt Orb, which carrieth all with its motions, although the reſt have their proper and ſpecifick motions. The other two are in the middle, and interjected Orbs. I ſhall begin at the loweſt Judicatory, and ſo ſhall orderly aſcend to the Supreams.

Of the Parochial Seſſions.

1. Of the Seſſion, how and of whom conſtituted.

EVery Pariſh hath one or more Miniſters. If more, all of them are equal in all honour and juriſdiction, only the Senior hath the precedency. To the Miniſter, or Miniſters of each Pariſh, to make up a Seſſion, in which is fixed the Parochial Juriſdiction, a competent number of *Lay-Elders*, (whom they call *Presbyteri non-docentes*) and Deacons, proportionable to the precinct and extent of the Pariſh are conjoyned: which aſſociate Body thus compacted, is the *Spiritual-Parochial-Sanhedrim*.

This Seſſion ſits once a week, or oftner, *pro re nata*. In which, *all Parochial Caſes* which concern *external order and cenſure*, are determined and ordered.

The Miniſter is Moderator.

If there be but one Miniſter in the Pariſh, he is *Conſtant Moderator*.

If

If there be more, they moderate by turns, either weekly, or monthly as they agree.

Whatſoever thing is ordered, determined, or decreed, is done by the joynt-conſents of the *Miniſter*, *Lay-Elders*, and *Deacons*, or by the plurality of Voices. The Miniſter, who is the Moderator hath *no caſting, no Negative Voice.* He hath no Negative Voice.

The power of all Jurisdiction, is *radically* and *equally* in all; for binding, for looſing, for all Cenſures Eccleſiaſtical, for Orders which concern external Order and Worſhip. So the *Power of the Keyes* is as much in the *Lay-Elders* and *Deacons*, as in the *Miniſter* of *Miniſters*. What Sacrilegious intruſions upon Sacred Orders this is, I need not inform one of your underſtanding. The Juriſdiction ſpiritual is radically in the Lay-Elders.

To make this frame good, they maintain, that *Jure divino* there be four Orders of Eccleſiaſtical Offices, (allow me to ſpeak in this Epiſtle all along their Dialect) or Perſons. 1. *Preaching-Elders*, whom they call Miniſters. 2. *Doctors*, theſe are Profeſſors in the Chair, ſuch as are in Univerſities. 3. *Lay*, or *Ruling-Elders*, who now have *Vocem deliberativam & deciſivam in rebus Fidei, cultûs, Politiæ*, and *in foro exteriori Eccleſiæ, in cenſuris Eccleſiaſticis*, are as much intereſſed and authoriſed as Preaching-Elders. 4. *Deacons*, who have truſt of the Means and Moneys deſtinated for pious and charitable uſes. Their four Sacred Orders.

This is very conſiderable too, that although they hold theſe four Orders and Offices neceſſary for the Government of Chriſt's Church, *de Jure divino*, by Divine Right and Inſtitution; yet neither the Parochial Conclave, nor any Presbyterial Conſiſtory (except it be where the Presbyterial Seat is in a City where an Univerſity is) have any Doctor or Doctors amongſt them. Nay, which is more, nor be any ſuch in their General Aſſemblies, or if they be, they appear only in that capacity as Commiſſioners from, and for the Univerſity.

It is worth your notice-taking, that their Lay-Elders and Deacons are yearly elected. Here is truly verified of them, that, *Hodie Clericus, cras Laicus.* This year they are ſacred, the next year prophane.

The things within the compaſs of *Seſſion juriſdiction*, are things meerly Parochial, the ordering of the Pariſh-Church and peculiar Service, the cenſure of leſſer Scandals (I muſt ſpeak their words) as Fornication, Drunkenneſs, Scolding, Profanation of the Sabbath (they mean the *Lords-day*) *&c.* Capital ſcandalous Crimes, or Scandals of higheſt ſtrain, are reſerved as caſes of peculiar juriſdiction for the *Presbytery*; as alſo leſſer Offences when they are attended with *Obſtinacy* The competent caſes of this Seſſion.

Obstinacy, and what is censurable and punishable by the *greater Excommunication*. If I mistake not, they know not much, at least use not much, the *lesser Excommunication*. In the cases above-mentioned the Cognition, Examination and Judgment of the Cause is proper to the *Presbytery*; the Minister with his *Parochial Conclave*, are only the *Executioners*. If any Parochial difficult Case occur, which this *Parochial Sanhedrim* cannot determine, the use is to consult with *the Presbytery*.

They enjoyn civil punishment and fines.

When the *Session* censureth any Delinquent, or scandalous person, they order his publick and solemn repentance (if by some superiour Judicatory it be not determined) as they think fit, by plurality of Voices; after performance of which Order, the Penitent is received into the Communion of the Church. But before the Delinquent be admitted to do his Repentance, he is fined in a *pecuniary mulct*, at their discretion, proportioned to the *demerit of the Offence*, and the *ability of the person*, as he is poorer or richer. It is true, this money is, for the most part, imployed to pious and charitable uses. As they punish by Pecuniary fines, so *corporally* too, by imprisoning the persons of the Delinquents, using them disgracefully, carting them through the Cities, making them stand in *Fogges*, as they call them, Pillaries, (which in the Country-Churches are fixed to the two sides of the main door of the Parish-Church) cutting the half of their Hair, shaving their Beards, *&c.* and it is more than ordinary, by their *Original* and *Proper power*, to banish them out of the bounds and limits of the Parish, or Presbytery, as they list to order it. Is not this *Potestas utriusque gladii*? And would not a good Learned Jurist say, that this is not only intrusion upon *meerly civil Power*, but upon the very Royal Rights themselves? The Imperial Law, if I be not mistaken, maketh *banishment* so peculiar to the Soveraign Authority, that without its power and consent, it cannot be inflicted upon any *civis*, any Subject.

They will not Baptise the Child, if either of the Parents have not paid the fine or satisfied the Church.

Their ordinary practice more in this, is; that when a pecuniary mulct is inflicted, if the Delinquent pay not the defined and determined summe, or at least give security for the payment of it, although he should testifie all the contrition is requisite, by humble confession, and offer most willingly to do all penance, to give all satisfaction, he will not be admitted to satisfie publickly: nay, he is proceeded against for *Contumacy*, and they will threaten Excommunication.

Nor is that to be passed by, that if a Child be born *in Fornication*, and either of the Parents hath not satsified the Church: they will refuse

refuse to Baptize the poor infant, till the Church get satisfaction. This is consonant with Scripture, *Animæ quæ peccaverit, ipsa morietur.* It is fit now in the next place to speak of.

The Presbytery.

WHich is the next Judicatory, to which the Session is subordinate. It hath in it somewhere more, somewhere fewer, Parish-Churches; as some are made up of Twenty, some of Twelve, some of fewer.

All persons within these Parishes, within the Precinct of this Presbytery, of what quality soever (the King or His Family herein are not exempted; nay, nor from the jurisdiction of His Parochial Session) are under the power and jurisdiction of this *Grand Consistory*.

The Members Constituents of this Presbytery are all the Parochial-Ministers within its compass, and a Lay-Elder for each Parish. The Lay-Elders are in number equal to the Preaching-Elders, and in Power, Voice, Jurisdiction, in Heresie, Idolatry, Worship, Censure, *&c.* are *Pari consortio honoris & potestatis præditi*, are so equal and uniform, that a Plowman from the Plow, or a Tradesman from his Shop, sitting there in the capacity of a Lay Elder, his voyce is as good as the voyce of the most Reverend and Learned Divine, if any be there. They maintan a parity in all, only a little difference in this, that a Lay-Elder cannot be Moderator: Yet have thay no Canon for it. And we are able to prove by their Books, that men who were never in Sacred Orders of Priest or Bishop have been Moderators, not only of their Presbytery, but of their so much *Idolized General Assembly*. Mr. *Robert Poole*, who was never Priest, nor Deacon, only Reader in St. *Andrews*, was in one turn, for a year, or half a year, or some lasting time, Moderator of the Presbytery of St. *Andrews*; and Mr. *George Buchanan*, who was never Church-man; and Mr. *Andrew Melvil*, who had never the Order of Deacon, both of them have been Moderators of their *Great General Assembly*. The Members Constituents of the Presbytery.

The cases proper to this Judicatory, are, 1. Such as are from every individual Parish within its compass referred, or presented. 2. All Crimes and Scandals of highest strain, namely, such as are civilly punishable by death. 3. All Crimes which come under the censure of Excommunication. 4. All Appeals from Sessions. 5. All Differences which cannot be composed or determined in the *Parochial Conclave*. 6. The visitation and censure of all what is amiss in every Parish, either in Preacher or other. 7. The appointing of Readers, and School-Masters. The Cases proper to it.

The time of Meeting.

They meet once a week in some places, in other places, only once a fort-night. All the Ministers in their several turns, at their Meeting, *Exercise* as they call it; that is, there is appointed by the Presbytery, some one Book of Old or New-Testament, which every one by turns in his own course interpreteth in the Parish-Church, where the Presbytery doth meet. Two always speak, the first from the Readers Desk or Pew: the other, in some other place distant from him, but convenient for hearing. The first Analyseth, Interpreteth, and taketh away the doubts of his Text; and (as they enjoyn) he is bound to the *Doctoral part*. The second, when the first hath done, addeth to what is said: hath a Warrant to supply the defects, or correct the Errors of the first Speaker; but especially his charge is the *Pastoral part*, to apply the Text, and bring it home to the affections.

Lay-Preachers.

There be Ingredients in this *Exercise*, such as God's Church before this late Age never knew, a kind of Creatures whom they call *Expectants*. These are Students in Divinity, or Countrey School-Masters or such Youths who are bred with some *Gamaliel*; who after that they have given their private trials by Preaching and Dispute, are enrolled *Expectants*, of such or such a Presbytery. These must keep their turns in Exercising, and adding (as they call it) with the actual Ministers, (so they call them) and once admitted to that Presbytery, may, whensoever imployed, Preach in any Parish-Church within the bounds of that Presbytery, do all *Ministerial acts*, except Baptize, or give the Sacrament of the Lords Supper, (for ought I know, there is no consecration used by them in that holy Action, but a meer Thanksgiving) nay, they may be constant helpers, and Co-Preachers with a Rabbi, if he, the Parish, and Presbytery agree to it. I pray you shew me where ever you read of such a profanation, that a Lay-man without Orders, Imposition of Hands, shall be a publick Preacher of God's Word, and intrude upon this Sacred Function. These for the most part were the *Beardless Boys King James* of blessed Memory, mentioneth in the Conference at *Hampton-Court, who would brave him to his face*. pag. 4.

Within one County there may be two or three, more or fewer Presbyteries, according as there be more or fewer Parish-Churches; and yet all these Presbyteries are independant one from another: only it is remarkable, that the Presbytery of *Edinburgh*, because (as they speak) *it is seated on the Watch-Tower*, hath welnigh obtained by custom, and other means, a *Superintending power*, over all other Presbyteries; and other Presbyteries many times

times send thither to have resolution of their difficult Cases. The reason is, besides the Eminency of this City by its Wealth, and the residence of all higher Courts of Justice there, (although this *Allobrogical* brood maintain *Parity*,) there be notwithstanding some few *Patriarchs*, who rule and over-rule all; *who Lord it, and Pope it*, over the Lord's Inheritance; and in this City ordinarily are some of these *Patriarchs*: and the *Responsa prudentum* from hence are received as Oracles by remote Presbyteries, and reverenced as Answers by *Urim* and *Thummim*.

There is none who liveth within the verge of a Presbytery, but is answerable to this *Classis and Judicatory*, and must appear whensoever or for whatsoever cited. The King and his Family are not exempted, nor priviledged. If He be cited and appear not, He may be excommunicated for his disobedience and contumacy: If He appear, He must submit His Earthly Scepter to that their Scepter, which they term the Scepter of Christ; He must do what is enjoyned. The Presbytery is Independent from the Crown of an *Earthly King*, who is *God's and Christ's Vicegerent in the General Kingdom* of his Providence only: But this *Sanhedrim* is *Christ's Vicegerent* in his œconomical Kingdom as Mediator, as they speak; and consequently to it He must vail his Crown, submit his Scepter: and from it receive Christ's Law and Ordinances.

King *James* of Blessed Memory, knew this well, who therefore in that Conference at *Hampton-Court*, pag. 79. saith, "*A Scotish Presbytery, as well agreeth with a Monarchy, as God and the Devil: then* "Jack *and* Thom, *and* Will, *and* Dick *shall meet, and at their pleasures censure Me and my Council, and all My proceedings. Then* Will "*shall stand up and say, It must be thus. Then* Dick *shall reply, and say,* "Nay marry, *but we will have it thus. And therefore here I must once* "*reiterate my former speeches* (the King is answering to D. *Rainolds*, who seemeth to beg of His Majesty a presbytery, or something like to it,) "*Le Roy's aviséra: Stay I pray you for one seaven years before you* "*demand that of me: and if you then find me pursey and fat, and my* "*Wind-pipes stuffed, I will perhaps hearken to you: For, let that Govern-*"*ment be once up, I am sure I shall be kept in breath; then shall we all of us* "*have work enough, both our hands full. But*, D. Rainolds, *till you find* "*that I grow lazy, let that alone.*

It is more than notoriously known to many yet living, and is upon Record in the Presbytery Books of *Edenburgh*, how King *James* not once, but many times hath sent men of Honour and good quality, demanding

The presbytery hath kept state with King *James*.

manding, or rather requesting for some things at their hands; who have heard the Commissioners propose the King's mind: But they, to keep the power and place Christ hath given them in that dignity, suitable to so high a trust, have dismissed the Gentlemen sent by the King without answer, and by an Order of that *Spiritual house*, have appointed one or two, as *Commissioners of the Presbytery*, to go to the King with *their will and pleasure*, loosing nothing of *Christ's authority*, and carrying themselves with the King, almost as if two free Estates, or two free Kings had met and were dealing together.

All Cases and Crimes are within the censure of the Presbytery.

As no person is exempted from obedience and submission to this power, so no crime or sin whatsoever *committed*, or *suspected* to be committed within the Seignory of this petty Principality. And that sometimes is so extravagantly and transcendently too lookt after, and called in question, (especially if indiscreet Zeal or holy Spleen work and move by the Spirit on a holy Brother) that if there be a fact and fault committed, secret, or known to very few, it is brought forth to the light of the World: There is no care taken to reconcile the lapsed to God in a private way, and to conceal his Offence, but disgraced he is publickly. What sound repentance this may work, judge you. How consonnat this is to the Apostolical Canon, *They that sin publickly, rebuke publickly*; and to the common Maxim of the Church, *De occultis non judicat Ecclesia*; he may easily see, who hath not divorced himself from common sense and reason. To cure these secret sins by the power of the Keys *in interiori foro conscientiæ*, and cover them with the Mantle of Charity, smelleth rankly of Auricular Confession, Popish absolution, and *Sigillum confessionis*. See the Conference at *Hampton-Court*, *pag.* 93. It is certain, a fooliſh man revealing fooliſhly his faults to his Wife, the zealous Wife upon some quarelling betwixt her and her Husband, hath gon to a good Minister, revealed what was told her, and the honest impartial Minister hath convented the man, charged him with his sins, and made him confess, satisfie, and do penance publickly.

Crimes suspected, are curiously here inquired after.

Nay, upon a surmise, suggestion, suspicion, or any mis-information, if the Minister, or Lay-Elders delate (that is present) two persons to converse so familiarly, that it is to be feared that they are guilty of Fornication, if they be unmarried, or of Adultery; if both of them, or either of them be unmarried, they shall be cited, and convented, examined by all proofs, presumptions, interrogatories, *&c.* whether or not they have sinned. If that the presumptions be Pregnant although no proof be, they shall be put in close Prison, fed on bread and water

ter, kept that none may come fit them, all Members Constituents of these Judicatories, appointed to try what they know against the *next Court-day*; when no proof can be had, and all the presumptions do not fasten guiltiness upon the accused, and the imprisonment and other hard usages cannot extort a confession, they are dismissed: But an Act is enacted, that if those two persons suspected of Fornication, or Adultery, shall be seen to meet, or be in company together, except they meet in Church or Market, it shall be holden *pro confesso*, as confessed, that they are guilty of what they are charged with.

Nay, sometimes the parties, although innocent and no real Evidence being produced against them, are brought on the Lord's-day publickly to the middle of the Church before the Pulpit, to declare, sometimes to confirm their Declaration by an Oath, that they are innocent and free of that Crime wherewith they are charged. And sometimes they are forced to make their publick Repentance in the Church, upon a Pillary, for their unchristian behaviour: because that, although the parties charged be free, yet their conversation hath been *suspicious and scandalous*.

A whole Volumn might be written of young Women by these courses disgraced and defamed: of many Families divided and scattered, whereas before there was no jelousie betwixt the Man and the Wife.

This Judicatory of the Presbytery is so high, and of so vast a latitude, that, as the *Pope* bringeth in all civil Causes to himself as a competent Judge, *sub formalitate peccati*; so, this *Papal Conclave* bringeth any thing, howsoever meerly and purely civil, under its lash, *sub formalitate scandali*, as scandalous to a Christian profession.

Presbyterial Government inconsistent with the liberty of trade and Commerce.

It is not forgotten by many yet living, how the Presbytery of *Edenburgh* attempted to censure Ecclesiastically the Merchants there, for carrying Wheat to *Spain* in time of a Famine or Dearth there, for this was to feed and maintain God's enemies. But above all, that was a *piaculum*, an almost inexpiable sin, to transport Wax to *Spain*; for this was to be accessory to Idolatry, in respect the greatest part of this Wax was imployed in making Tapers and Candles to the *Virgin Mary*, and *other Saints*.

Inconsistent with the authority of civil Judicatories.

In St. *Andrews*, *I.T.* was indebted to *P.T.* a considerable sum of money, the greatest part of his stock; *I. T.* delaying, or shuffling, or not able to pay, *P.T.* at the day of payment designed in the Bond, *P.T.* obtained before the Lords of Session, a Judgment against *I.T.* with power to demand payment in the King's Name, and upon disobedience

ence to be out-lawed, and fall into a *Præmunire*, or eſcheating of his moveable Goods and Chattels. *I.T.* bemoans himſelf to the Presbytery. The Presbytery convents *P. T.* before them, threatens him with Excommunication, if he did perſiſt to put in Execution the Judgment of the higheſt Judicatory in the Kingdom: and for fear of this dreadful Court and horrid ſentence, he paſſes from his purſuit, continueth the demanding of repaying of his Money. You ſee here what power this Presbytery hath over all, and the higheſt of civil Judicatories.

The Presbytery at pleaſure repealeth Royal Grants, by Law confirmed.

Infinite inſtances of this kind may be produced: give me leave to add one of a higher ſtrain, The City of *Edenburg*, by the Kings of *Scotland*, amongſt other favours and priviledges, hath a Royal Grant of a weekly Market-day on Monday. This grant is confirmed by Letters Patents under the great Seal, and by the ſtanding Laws of the Kingdom; The Presbytery here by their tranſcendent ſole authority, diſcharged any Market to be kept on Monday; the reaſon was, becauſe it occaſioned the travelling of Men and Horſes the Lord's-day before, which profaned the Sabbath. If the Tradeſmen, who found at home what loſs they had by wanting their Market, had not with force and violence oppoſed their Soveraignty, and made them forſake it, it was like enough to have paſſed, and obtained longer.

The moſt active in this caſe were the Shoo-makers, who were moſt prejudiced by the diſcharge of the Monday-Market. They threatned the Miniſtry-Right down, that if they perſiſted in that courſe, they would thruſt them out of the Gates of the City: which threats reſtored the Mondays-Market. When King *James*, that Miracle of Piety, Learning, and Royal Prudence, heard of this; he, with uncovered head, and liſted up hands, ſaid to this, or much about this ſenſe, *I thank God the Shoo-makers have more power to repreſs the inſolency and violence of the Presbytery, than I and my Councel both.*

The Presbytery will not ſuffer Landlords to ſue for their Rents.

It is known to many yet living, that they have cited before them Noblemen and Gentlemen of good quality, who had intended civil Actions againſt their own Tenants before the ordinary Judge, and diſcharged them to proſecute them any further, under the pain of Eccleſiaſtical cenſures, This was *in re civili*, in a civil buſineſs, but *modus conſiderandi*, as they took notice of it, was *ſpiritual*. And why? becauſe the holy Brethren pretended, this did withdraw people from their *lawful Vocations*, *bred ſtrifes*, and contention amongſt Brethren, and did hinder the progreſs of the Goſpel.

As the particular Miniſters of individual Pariſhes are under them, ſo they find the tyranny of their *Archiſynagogi*, their prime leading

leading Miniſters, in that meaſure, that their little finger is heavier than a Biſhops whole hand and loyns. Biſhops are like to a Paternal Government, chaſtiſing with Rods; but the Presbyterians ſcourge them with Scorpions: any Lord, Knight, or Eſquire, who is cunning, and can by fair carriage, or otherwiſe, gain favour or credit with ſome few *Patriarchal Presbyters*, he is able at pleaſure to turn out an honeſt man (who perhaps is too free in rebuking the Gentleman for his ſins, or cannot or will not condeſcend to grant his unlawful and unjuſt demands) and to bring in one to his own fanſie and humor, with whom, and by whom he is able to work and effectuate his own bad intendments. This *holy Sanhedrim*, although the Parochial Miniſter for *Intellectual abilities*, be ſufficiently enabled, and for *Moral Integrity*, be blameleſs, yet they will find it fit he be tranſplanted from that Church, becauſe the Congregation is not edified by him; at a Viſitation the Landlord is able to make all ſay, and witneſs, they are not edified by him; or if a Presbyter who hath more power with the *Dominus Moderator*, and his aſſiſtants, being in a Pariſh of a ſmall ſtipend, and eſpying ſomewhere a better Pariſh, and an honeſt man in it, but not ſo much reſpected by the high Prieſts of the *Sanhedrim*, he will turn him out by the Presbytery, enter the charge, and reap the benefit of a better Pariſh, and place the other (it may be, and often proves ſo, the better and worthier man) in another Pariſh of leſs worth, and deterior his condition. There needs no other reaſon for this, but that this ſacred Conſiſtory, directed and aſſiſted with infallibility, do find it, *è Re Eccleſiæ*, that it is for God's glory and the good of the Church.

Some few of the Presbytery tyrannize over the reſt of their poor Brethren, remove and tranſplant at pleaſure.

I might inſtance a world of theſe Examples; only let me tell you one of the Presbytery of *Cooper in Fife*. A Nobleman there having one Maſter *Weymis*, an honeſt man, a Preacher and Parſon at one of the Churches, the which whole Pariſh belonged to the Nobleman, uſed all the intreaties, all the threatnings he could, to perſwade Maſter *Weymis* to make over to him, and his houſe, the Right of the Benefice, which, if I miſtake not, was a Parſonage. The good man refuſed it: the Nobleman finding the man immoveable, having prepared the way with the *Ring-leaders*, accuſeth the honeſt man before the Presbytery, obtained ſentence of removing Mr. *Weymis* from that Church and benefice, and bringeth in one Mr. *Scrogie*, who with the conſent of the Presbytery, ſacrilegiouſly made over the Right of the Church to the Noble Man and his Family. Mr. *Weymis* was tranſplanted to another Church. The Right made over by *Scrogie*,

An honeſt man removed from his place, and one by them brought in, to make away ſacrilegiouſly the Church Patrimony.

Scrogie, was afterwards confirmed by Act of Parliament. King *James*, when this Nobleman came to him, spoke to him to this sense: My Lord, I wonder how you have so much power with the Presbytery to obtain such a thing, and work so strange a matter, I pray you teach me the way, for I would gladly know it. The Nobleman answered, to this sense, or much about it; Sir, you take not the right way, I prepared my business, by gaining the prime men to my course, I sent to *A. B*'s house so much Malt, and to *C. D*'s house so much Meal; to *N.* a Carkass of Bief; this got me the power to put away *Weymis*, to bring in *Scrogie*, and from him, with the consent of the Presbytery, to have the right of the Parsonage impropriate to me and my house: Sir, this course you must take, if you would work any thing by or with these men.

The Testament of a Gentleman of Wit, and more than ordinary worth and esteem, is to this day extant, (although he died many years ago) wherein confessing his many sins (he was much guilty of uncleanness, and was of more than ordinary reach in Political and Subtile ways) abhorring himself for them, and earnestly begging pardon, professed, and protested, that no sin did wound his Conscience so much, as his deep Hypocrisie, who, without the true fear of God, made great shew of Religion, where none, or little was, and to cover his sins from the World, to hide his shame, and the better to effectuate his private designs, he made much of some few prime leading Ministers: by doing of which, he was not challenged for his sins; and was enabled to work his other ends. This hath been, and is this day a constant course kept by all of that cutt or coat.

The Presbytery the Seminary and Nursery of Feuds.

It is known, that no Kingdom of the King's was so much infested with Feudes (as they call them) as that of *Scotland*: nor was there any thing more ordinary, than Neighbourly Feuds in Parishes, to be fought to the effusion of much blood, partly beginning sometimes within the Church, and ended in the Church-yard, where many times some were killed. And it was as ordinary to find each Presbytery divided in their affection and course, according as they affected the one or the other party. Nor was *Scotland* ever free of Feuds, sheathing their Swords in their Neighbours Bowels, murdering one another, till a little before King *James* came into *England*; nor did ever that Kingdom enjoy such Peace and Plenty, as during the time of Episcopacy.

Sir, By the few Instances I have given you of many, you may see clearly that Presbyterian Government, is not only inconsistent with Mo-

Monarchy, but destructive of the Liberty of the Subjects Person and Trade; enchroaching upon all Authority, Soveraign, and Delegate; restraining at pleasure Causes and Suits commenced before Judges; forbidding Execution of Judgments obtained before the Ordinary Judges, repealing Grants, Letters Patents, Rights and Priviledges authorized by Law, assuming to its self the Civil Power, exacting Civil Fines, pecuniary Mulcts, inflicting corporal punishments painful and disgraceful; defaming young, disgracing married persons; and in brief, is against the Peace of the Kingdom, of Families, and of Neighbours. And for their Clergy or fellow Presbyters, they tyrannize over their Conscience, depose, or transplant them at pleasure, for reasons known to some few of the more active. It is proper now to speak next of

Provincial Synods.

IN describing of which we need not to insist much: for, except that the Jurisdiction is of great extent and latitude in its Essentials, Constitution, and Power, with the exercise of it, it is the very same.

A Provincial Synod is the Apish Imitation of a Provincial Council, consisting of a Metropolitan, and the Suffragan Bishops of his Province. With them, it is an associate body of the Commissioners chosen out of all the Individual Pyesbyteries within the Precinct of the Province. How many there be of them in the Kingdom of *Scotland* at this instant, I know not: but the Kingdom is divided into so many Provinces, as they in their prudence think it fittest for the Government of the Church. What it is.

If I remember right, by their *platform of Discipline* these Provincial Synods are to meet twice a year, or oftner, *pro re natâ*.

These Synodal Assemblies have a *superintending* and over-ruling Power over all the Presbyteries within the limits of that Province. The extent of their Power.

The Cases proper to these Courts, are, 1. All matters which do appertain to the whole Province. 2. All Referrs from all Presbyteries within its Verge. 3. All Cases of every several Presbytery, which were difficult, and could not there be determined. 4. The due censure of all what is thought to be done amiss in any Presbytery within its lash. 5. What is ordered and decreed in those Provincial Synods, tieth all within the particular Presbyteries and Parishes, as well Lay as Clergy men to obedience. Any Presbytery else, that moveth without the Sphere of this Province, is not tyed to obey what this decrees, by virtue of any Authority flowing from it. The Cases which fall within their Jurisdiction.

The Politick Stratagem of the great *Gamaliels.*

The same course is holden in all things in the *Provincial Sanhedrim*, which is kept in the Presbyterial Consistory, so that I need not trouble you by resuming and repeating the like: onely here is some piece and use of good Policy, which is this; In a Province, there may be some four, or five, or six, or more, knowing leading Ministers, who over-rule different and distant Presbyteries, and so cannot formally and fairly joyn their wits and power to compass their common and private ends. The meeting of this Provincial Synod, occasioneth the meeting of those leading men in the same place; who after that they have communicated Counsels, and agreed upon the course, they are able to draw their Brethren, their Pupils of their Faction, as *Servum pecus*, slavishly, yet *with much zeal* to dispute, debate, and voice for what they in their wisdom think fit for their own ends: which course laid down, will be so prevalent, that if it be against King, Countrey Preacher, or Lay-men, in that concerneth the publick, or any private mans interest, to whom they stand ingaged, it is to as little purpose to some good men to oppose, or moderate this course, as to a man to stop a current of a flood, after a great inundation of rain, with his foot.

There is another trick of policy too, whereby the *Apostles* of this Province advance their own credit, that the wisest of the Nobility and Gentry see who are the active and doing men, and having their particular interest many times both in the publick, and their own private, they make their address to these Popes, gain them to their course, and strengthen themselves by the Spiritual Sword to disturb the publick, or to gain their private ends, whether right or wrong. When the Commissioners from hence return to their several Presbyteries, they intimate to them, to command the particular Ministers to preach in their Parishes, Doctrine tending to the advancement of those designs: and this is so much obeyed, that the Minister of the Kings Family, or Parish, must sing the same Song, although it concern the King in his Honour, or in that is most dear to him, and be to the prejudice of his Person, Soveraignty and Government.

The great honour which is given to the Patriarchal Presbyters.

These ἀρχηγοὶ, these *prime men of God*, are attended and honoured so by the subtle and cunning Nobles and Gentlemen, that they are well nigh deified: in their coming to and fro, to Assemblies, Presbyteries, or upon other occasions, the most eminent of the Province wait upon them, intreat them to come to their Houses, set them at the head of the Tables by my Lady, provide for them the best Chambers. And that you may know, howsoever they pretend Parity that

that it is *protestatio contra factum*; never Bishop in *Scotland* hath come into Cities with such Convoys, been attended with such great personages, as some of this holy Brotherhood. It is to this day remembred, that when Mr. *Robert Bruce* came from his Visitation in the West, or South, returning to *Edenburgh*, and entring by the *Canongate*, King *James* looking out at his Window in his Palace at *Halyrude House*, with indignation, (which extorted from him an Oath) said, "*Mr.* Robert Bruce *I am sure intends to be King. and declare* "*himself Heir to King* Robert *the* Bruce.

The presumptuous carriage of Mr. *Bruce* toward King *James*.

If you would allow me upon this to digress, I beg to be bold to tell you a true Story, and the most insolent I believe you ever read or heard. When Q. *Elizabeth* was waxed old, K. *James* bethinking how to come at the peaceable possession of that Right God and Nature had Intitled him to after her death; and resolving to recal and pardon the Earls of *Angus*, *Huntly*, and *Erroll*, (who at that time were banished, and beyond Seas) feared, if by himself, and his, Soveraignty, he should do it, because they were professed Papists, he feared the Church would except against it, and move his Subjects to Sedition and Rebellion: yet the Noblemen were most able to strengthen him and do him best service in the Kingdom. To prevent this mischief, he sent one of his trusted and worthy Courtiers to Mr. *Robert Bruce*, *one* of the Ministers of *Edenburg*, who at that time had great sway in the Church, desiring him to come to his Majesty about some business of high Concernment. Mr. *Robert* did come. The good admirable King, welcomed him more than courteously, took him into his Retiring or Bed-chamber, spoke powerfully to this sense: *Mr.* Robert, *I have sent for you to have your advice in a Business of great weight, concerning the Peace of* Scotland *and* England, *and which concerns me in Right and Honour most nearly*: Queen Elizabeth, *my* Sister *and Cousin, is sick, and cannot live long, you know I have God's and Nature's Right to that Crown, I cannot lose it in Honour or in Justice, and yet my prayer to God is, that I may come at my Right without any blood. I know there is some Faction in* England *against me, but my friends are more prevalent there: It concerneth me, in point of prudence, to provide that there be no Faction and division in this my Kingdom of* Scotland: *for if this Kingdom be all one way for me in hearty obedience and subjection, the disaffected party in* England *will be better advised, than to work me trouble to their great disadvantage. Now saith the best and wisest of Kings, I fear nothing, but that these three Noblemen beyond Seas, because of their forfeiture, may be wrought upon by Papists, encouraged and enabled by them*

there, and the English *Papist who are most against my coming to the Crown of* England, *knowing I am a sound Protestant, to come hither and trouble Me and the Peace of this Kingdom. Do you not think it fit, that I give them a pardon, restore them to their Honour and Lands, and by so doing, so gain them, that thus I may save the effusion of Christian blood?* To this demand so Piously made, the answer was: *Sir you may pardon* Angus *and* Arroll *and recal them; but it is not fit, nor will you ever obtain my consent, to pardon or recal* Huntly. To this the most gracious King sweetly reply'd: *Mr.* Robert, *It were better for me to pardon and recal him, and not the other two, than the other two without him. 1. Because you know he hath a greater command, and is more powerful than both of them. 2. Next, you know I am more assured of his affection to me; for he hath married my dear and near Kinswoman, the Duke of* Lenox *his Sister.* His rejoynder was, *Sir I cannot agree to it.* The King out of the great depth of his wisdom and prudence, and his transcendent goodness, concluded thus: *Mr.* Robert, *I have imparted my most secret thoughts to you first before any, and to you only; I am so confident of your zeal and good affection to Me and My Honour, that I intreat you to think upon this matter a day or two; and after your better thoughts and prayers, return to me, and tell me clearly what you think.* Thus was he dismissed with as much respect as the King could give to any of his highest Subjects. The truth is, at this time this man had more power in *Edenburgh* than the King; and his credit there had a mighty influence upon all his Sect, and many in the Kingdom. Within a day or two he returns to his Majesty, yet, if I be informed right, not till he was called upon: When he entred the Kings Presence-Chamber, the King took him into a secret retiring Room, as before, made the Dore be shut, and speaketh to this sense: *Now Mr.* Robert, *I hope you have thought more seriously upon that weighty business I proposed to you the last day, and have prayed God to direct you and Me both; tell me then what you think of my purpose and resolution concerning those three Noblemen.* He returneth this answer; *Sir, the more I think of it, the more I am confirmed in the advise I gave to you the last day: I agree with all my heart that you recal* Angus *and* Arroll, *but for* Huntly *it cannot be.* The King resumed and repeated his reasons before mentioned, and added some more: He obstinately opposed and contradicted it. All do know, who knew any thing of these times, that *Angus* and *Arroll* were as bigot Papists, if not more, than *Huntly*; there was no difference in Religion: the truth is, Master *Bruce* was a Lover of the Earl of *Argyle*, who loved not much the Earl of *Huntly*. This was the Spirit inspired him, as it seemeth,

seemeth. King *James* desired his reasons: he gave none, but spoke Majestically. Then the King told him downright, *Mr.* Robert, *I have told you my purpose; you see how nearly and highly it concerneth me; I have given you my reasons for my resolution, you give me your opinion, but you strengthen it not with reason; wherefore I will hold my own resolution-tion, and do as I first spoke to you.* To the which (with Christian and Subject-like reverence!) he returned this reply; *well, Sir, you may do as you list; but choose you, ye shall not have me and the Earl of* Huntly *both for you.* Sir, Judge by this in what case Monarchy is, in such a Government: for that this is truth, I am as much assured of, as moral certainty can assure any man of moral truth which with his own Ears he hath not heard. And yet this man was but Minister of *Edenburgh.*

To return thither, from whence we digressed, that you may know, that this great Honour which is done to those great ones, the Cabinet- Council of all Provincial and General Assemblies, by these cunning and subtile Nobels and others, is not done in the *name of a Disciple, in the name of a prophet*, reflect a little with your eyes, and consider how the same men respect and entertain their own Parish Minister: When the *Gamaliel sits by my Lady*, the Parish Priest, will be below the Candlestick; and will be forced to come to his Lord or Laird, and Chrouch down for a *morsel of Bread, and small piece of Money.* Nay, before the *Gamaliel* be gone, he must prompt and Catechise the poor Stipendiary, how to carry himself with the Lord and Laird, not to exact too rigorously what is due in his *competent Stipend*, nor in Preaching, Doctrine or Discipline, to offend the Lord or Laird: such good Christians, such *Jehoshuah's*, *Nehemiah's*, and *Esdras's*, are to be much made of, for the cause of God. I dare to say, never Bishop or Archbishop in *England* or *Scotland*, hath used more authority, nor did ever carry themselves so arrogantly towards the meanest of their Clergy, as these men do over their simpler Brethren. I come now at last to

The Courtesy honour not these Apostles in the name of a Disciple; as it appeareth by the disrespect all other Ministers have from their Parishioners.

The General Assembly.

THis is the *Great and High Sanhedrim*; the *last resolution of* faith is almost in this associate body. Here Christ sits in the Highest Glory and Dignity he can upon Earth. Here is the *ultimate decision* of all Controversies. Here you may find really that fancied infallibility of the Pope. The Jurisdiction in this is universal, in all concerneth *Ecclesiastica, Ecclesiasticos*, and what concerneth all *Temporalia in ordine ad Spiritualia.*

The Prerogative of this Court.

The

The Independent Soveraignty of it.

The authority of it is soveraign, independent from any derived to them by trust immediately from Christ; to him alone they are accountable. Whosoever obeyeth not this Soveraignty, is to be Excommunicate; the Magistrate is at their command, and, as they prescribe, to punish in Estate, in Body, in Life and Death; If the King obey not, He is to be Excommunicated; and, to strengthen this, the Nobility, Gentry, Collective-body, nay, every individual person is to concur, to compel and censure him to the utmost of his power, to punish, to dethrone, to un-King, to Kill, &c. Let us come and see how this goodly Judicatory is made up.

Of whom and how it is compos'd.

It is composed, 1. First, of the Commissioners sent from all the Presbyteries of the Kingdom. Which (as I hear and am informed) is thus ordered. Every Presbytery sendeth out two Preaching Elders, and a Lay-Elder. By this it seemeth that the Clergy hath the advantage. 2. Secondly, therefore consider, that besides the Commissioners from Presbyteries, there cometh from every Burrough and Corporation one Commissioner; and *Edenburgh*, for some Spiritual prerogative no doubt, is honoured and priviledged to send two. 3. Thirdly, the Universities and Colledges send their Commissioners, which for the most part are not Doctors nor Ministers, but Lay-men and Graduates in Liberal Arts and Sciences. This will go near to equal the number of Lay-Commissioners to that of Preaching-Ministers.

How the King is a member of it, and of no power above the meanest Ruling Elder.

4. The King is a Member constituent too, and should be there either *personally* by himself, *or virtually* and *representatively*, in, or by his Commissioner. He hath one voyce too, and that *affirmative* only. In what Capacity they admit the King to be a Member constituent of this Spiritual Court, I know not well if they be agreed upon it. Some hold that he is there as *Princeps membrum*. By this I see he is the first Gentleman there, and, it may be, hath the right hand too. Some say, as a Representative of the Civil body of the Kingdom, and sits there in that capacity. All of them agree in this, that he is bound by his own Presence, or Commissioners, to see and provide that no disturbance or violence be offered.

The King if present, and His Commissioner if absent, have so much honour indulged to Him, that He or His Commissioner may have four, or five or six *assistants* for advice; but these Synodical Fathers give their Indulgences with such circumspect prudence, that, to preserve Christ's honour, and their own, entire, the King, or His Commissioner may debate and advise with His Counsel, or Assistants,

or

or desire any of them to speak, while matters are in *debating*; But when it cometh to the decision and determination by voices (and plurality of voyces maketh the decree) the King has *onely one voyce*, and that *Affirmative* onely, not *Negative*.

By this it is certain, that if the greater part of voices determine contrary to the King's voyce, nay to His Mind and Conscience, He is bound to put it in Execution: for *potestas juris* is radically in the whole Assembly, the King hath no more but *potestatem Facti*, to be an Executioner *Rei Judicatæ*, of the Decrees; otherwise, He is censurable; and if He be obstinately refractory, He is not worthy to hold His Crown. The King must execute their Commands, although they be against His Conscience.

The King presides too, as they confesse; but so, that it is only civilly, and in His civil capacity.

If I be not mistaken, yet I dare not avouch this confidently, the King hath not Power to propose any thing spiritual, or that concerneth the Church; but, if He do it, it must be done by the Right Father of the Assembly, the *Moderator*. This I dare to say, that neither the King, nor His Commissioner can hinder or oppose the proposing of any thing they think concerneth the Kingdom of Jesus Christ. For this were no *free general Assembly*, and to limit the *holy one of Israel*. Nay if the thing propoled conceived by them to be Spiritual, be so twisted with the things civil, that the ordering or establishing of it may carry along with it a change and distemper in the State and Govrnment, or import danger to the King and Crown; The Moderator, or any Commissioner hath power to propose it, determinate it, and never to consider or reflect upon the danger of King, State, or Kingdom, and that for God and Christ's glory.

The proper, natural, and right president of this Seraphical Judicatory, is one of the Preaching Elders (although we observe before, how Lay-men, as *Buchanan*, *Melvil*, *Bruce*, have been Moderators) a Lay-Elder now cannot be Moderator. The proper Moderator is a Preacher.

Here is the Legislative power, here is the Soveraignty of Christs Kingdom, here is the highest Tribunal and Judicatory of Christ upon the Earth; from which no person, no Office, no Condition of Creature is priviledged; from it lyeth no appeal.

The King hath no Power to appoint the time or place of this Assembly, but once a year it must necessarily meet. And at the close of every Assembly, the President appointeth the day and place for the next. If any great exigency really, or in their fansie intervening, requireth the meeting of a general Assembly before the time determined, They indict the Assembly by their own Power.

mined, the Commissioners from the Assembly are to make remonstrance of it unto the King.

The vast Power of this Court.

Whatsoever power the Pope unjustly usurpeth, The Catholick Church, or, *her virtual and Representative* An œcumenical Council, justly challengeth; this General Assembly vindicateth to it self, only *Authoritative, by way of authority*, within the Church of that Kingdom and Nation; yet *Consensivè and Charitativè*, to extend to all Neighbor-Churches in the World; what ever it be that concerneth, *fidem, cultum, Regimen*, &c. *credenda, agenda.*

And yet if this infallible Supream Judicatory would reserve to it self that jurisdiction is due to men in Sacred Orders, and which intrinsecally, radically, and originally is in them *ex vi Ordinis*, although Presbyters intrude upon higher callings; and they place all Ecclesiastical power, at least communicate it to Lay-people, the Prince's condition were tolerable: Nay, if they did only trench upon what is due to Soveraignty, and with which he is invested from God almighty, which is restrained *ad Externum hominem*, and *Externum Regimen*, although Soveraignty by it be brought into straiter and narrower bounds; a King might be in some poor condition, although robbed of His Right. But when they come to this, that *in ordine ad spiritualia*, in order to spiritual things, they will give the King Laws, repeal His Laws, command and expect performance and obedience, otherwise excommunicate; and if a King neglect that Excommunication, incite inferiour Magistrates, Nobles, and Commons, to bring Him in order, to compel and force him; He is in a worse condition under this Soveraignty, than under the Pope, by how much it is worse to a King to be subjected to an untamed furious Beast, the Multitude, than to the tyranny of One.

Lay-men Judges in highest points of faith and worship, &c.

All these Lay-Elders, all these Commissioners from Corporations and Burrows, are *de jure divino* as fully Judges in all matters of faith, worship, government; Judges of Heresie, Idolatry, Superstition, of the highest points of Orthodox and Catholick mysteries, of the grossest and subtillest Heresies, Arianism, Arminianism, Macedonianism, Montanism, Socinianism, Anabaptism, &c. as any man in sacred Orders there; have *vocem deliberativam, vocem decisivam*, have a debating, discussive voice, and concur as much with the influence of their voice to prescribe and give us *Normam fidei, cultûs, politiæ*, a Confession of faith, a Prescript for worship, Canons for Government and discipline, as ever Bishops had in lawful Christian Councils. (Bishops, Limbs and Members of Antichrist, are no part of it.)

Now

Now is forgotten that of the Councel of *Calcedon*, *Concilium Episcoporum est*; and that old Barbarous, but Christian enough Verse;

Ite foras Laici, non est vobis locus yci.

I would gladly ask of one of these Rabbies and great Masters in *Israel*, How cometh it that the Commissioners of *Burrowes* sit there, voyce there? Are they too, *De jure divino*, by divine right? if they answer, that such are chosen as are, or have been Lay-Elders, : I rejoyn; the Lay-Elders come in that capacity onely, as Commissioners of the particular Presbyteries: These are not Members Constituents of the Presbytery in that capacity, that they are, or have been Lay-Elders; but have right and interest in this high Court in that *capacity* meerly as Commissioners of Burrows. Look upon their Acts of General Assembly, and you will find, that it authorizes Commissioners from Burrowes to be parts constituent of this Judicatory, *quà tales*, as sent from the Burrowes.

Commissioners of Burrows are there only in a Lay-capacity.

Again I ask, Seeing you make Doctors one of your four holy Functions Ecclesiastical, constituted by Christ, in what Judicatory find we them? In Sessions they are not: In few Presbyteries they be; and, if there, in some other capacity. In General Assemblies, if any be, they appear as Commissioners from the Universitie, in this capacity only. And many times it is seen, that Professors of Philosophy have been Commissioners of Colledges in General Assemblies.

We find Doctors no where.

Leaving these Absurdities, which are monstrously gross, I come to consider next, what is the Soveraign power of this high *Sanhedrim*. If they would in Christian moderation assume no more to themselves, but only a *Directive power*, and by humble Remonstrances and supplications, with that reverence is due to Soveraignty and Majesty, Petition the King to animate their Acts, Canons, and Constitutions with the influence of his Legislative power, this were fair quarter. But by your favour, no sooner have they enacted it here, and so soon as it is solemnly *intimated*, which is, by returning to every Presbytery, with its Commissioners, a Copy of the Acts, Orders, and Ordinances, and by the Presbyteries order every Minister hath published them in the Parish-Church; all things so done are animated with a *Potestative Power*, by the influence these Orders receive from that *Legislative Power* Christ hath intrusted them with in *his œconomical Kingdom*. All then are bound to obedience, if it be in the meanest indifferent thing, nay, if this order cross or repeal a standing Law, all Disobedients are liable to all Ecclesiastical Censures,

The Power which this *Sanhedrim* assumeth to itself.

and may forthwith be proceeded against, even till they *be delivered over into the hands* of the Devil.

They are above the King, and all Soveraignty.

This *Assembly* is above the King: to them he ought to give an account of His Faith; to their confession of faith He must conform himself; to their Orders He must give obedience; otherwise He is excommunicable, deposable. I fear you scarce believe me: yet truly *Non verenda retego, sed inverecunda confuto.* I discover not the nakedness of the Father, the shame of Brother, nor Friend; would to God the Tenets and practises were buried in Hell, and the Maintainers regained to God by true repentance, and forsaking their ways: I discover only things that are past all shame, and which our Church can never own. Sir if you will hardly believe me in this, let me give you their Assertions in this Case, and their conformable practice.

If they cannot reform by the King, they may by any other means else.

It is their constant Catholick Tenet, that if the King, Queen, Regent or Protector, or whosoever he or she is in whose Person Soveraignty is fixed, or in whose Person it is representatively fixed, only by a fiduciary trust, during the non-age of the Prince or Princess, will not submit himself to this holy Scepter, will not, according to its Prescript reform Religion, preserve it in its integrity, any man or men are bound to do it at their direction. I spare *Martin Junior's* faith in this, that there is no authority above the Brotherhood. "*No "Magistrate (Saith he,* Thes. 17, 18, 22.*) may lawfully maim or de-"form the body of Christ, which is the Church; no lawful Church-go-"vernment is changeable, at the pleasure of the Magistrate; of neces-"sity all Christian Magistrates are bound to receive this Government.* Nor will I insist upon *Vigginton's* assertion; That "*what the holy Bro-"therhood cannot obtain by suit & dispute, the people must bring it to pass.* "You desire the tenets and practises of the Church of *Scotland* only.

Religion may be reformed or preserved by violence.

The *Scots* maintain, that if the King, or Queen, will not reform Religion, they may take upon them by violence and power to reform it. This they have learned of their Grandfather *Knox*, as you may read in an Epistle of his, written from *Diepe, Anno* 1557 And *Knox Histor. pag.* 213. What is lawful for Reformation, is lawful for preservation of Religion.

If the King will not, the Nobles may.

1. And here they begin with the Nobles: and determine right down, *Noblemen ought to reform Religion, if the King will not. Knox, App.* 25. Again, *That God hath appointed the Nobility to bridle the inordinate appetites of Princes, and in so doing, they cannot be accused, as Resisters of Authority.* Knox Hist. 343. *And That it is their duty to repress the rage and insolency of Princes.* Knox App. 33.

2. In

2. In the second place, if the Nobles will not do it, *The people and Commonalty may reform Religion, at the order and direction of the Brotherhood.* Knox to the *Commonalty* fol. 49, 50. *The Commonalty by their power, may bridle cruel beasts*; (They mean Priests and Prelates) *Knox* to *the Commonalty*, fol. 55. *The Commonalty may lawfully require of their Soveraign to have true preachers; and if he be negligent, they may themselves provide them, maintain them, defend them against all that do persecute them, and may detain the profits of the Church-livings from the other sort*; that is to say Priests, Papists, Prelates, and Malignants. *Knox. Com. f.* 55.

If neither King nor Nobles, the People may.

3. In the third place, if they come to the happiness, to have Nobles and commons obedient to their commandements, for reformation, or preservation of true Religion (which must be so as they fancy) I am deceived, if they allow not more violence and esteem it more piety zeal, and justice. Their Tenets are; *The Commonalty concurring with the Nobles, may compel to cease from their tyranny.* Knox to the Commonalty fol. 47. Again, *The Nobility and Commonalty ought to reform Religion, and in that case may remove from honours, and may punish such as God hath condemned*, Deut. 13. *of what estate, condition, or honour soever.* Knox, App. fol. 28. 30.

If Nobles and Commons joyn, there is hope of some greater success.

4. In the fourth place, if the Nobles will not joyn with the People or Commonalty in the reformation, or preservation of true Religion, at the direction of the Ministry, the inferiour Magistrates may, and should do it. *Knox Hist.* p. 217.

Inferiour Magistrates and People may joyn.

5. In the fifth place, before so good a work be not done, if Nobles or the whole, or greatest part of the Commonalty will not be obedient, assisting, and aiding to so good a work; Every individual man and person is bound to advance this good work, to kill Papist, Priest, Prelate, Malignant; nay, a King, if He stand out an Enemy to God, and Christ, and cannot otherwise be reclaimed, or removed, nor by suit, or dispute gained to the right way, (I dare say, their Doctrine leads to this) see *Knox App. fol.* 30. where roundly he saith, *The punishment of such crimes as touch the Majesty of God, doth not appertain to Kings and chief Rulers only, but also to the whole body of the People, and to every member of the same, to revenge the injury done against God.* Again see him fol. 35. *The People are bound by oath to God to revenge, to the utmost of their power, the injury done against God's Majesty.* To this purpose they alledge the Examples of *Phineas*, who in his zeal killed the Adulterers: Of *Ehud*, who in the same zeal killed *Eglon* in his private Chamber, (remember he was a King:) Of *Jael*, who killed *Sisera*: Of *Matathias*, who in zeal killed a Jew for committing

Every individual in this good work, may and ought to the utmost of his power, to intend and endeavour Reformation.

of Idolatry; and who in the same zeal at the same time killed the Kings's Commissioner. Sir, put these things together, and see, where this Soveraign Supream Ecclesiastical Judicatory hath such dominion and power over mens Consciences, that being directed by their Ministery, they are bound to do to the utmost of their power, for reformation and preservation of Religion, What sacred person of any King can be secured? What man offending against the Majesty of God (which is as they fansie many times) may not be taken-away by one like to a *Ravilliack?* What Commissioner or Councellor of the King but in doing his best service to his Master, he may be stoned like to *Adoram*, and all this go in popular esteem currant for good service and extraordinary zeal to God and his Cause.

All or as many as are well affected, may covenant, and combine for doing this work.

6. In the sixth place upon those grounds, Covenants and Confederacies come in to strengthen all, to joyn Purses, Persons, Wit, and Strength, *Contra omnes mortales, Regiâ Majestate non exceptâ*, against King and Bishop, Prince and Prelate, to the defence of the good cause; with a combination every one to be aiding, assisting, and maintaining one another in so good a Cause.

The Confederates may by themselves give Orders.

7. In the last place cometh their Orders for Reformation, or Preservation, and that by themselves and the collective body, or any Associates whatsoever, without Respect, Reverence, or Obedience to the Soveraign Authority of the Prince.

Practices upon the Tenents.

The practice is clearly seen in Mr. *Knox* his proceedings, for after that by his Letter, which we mentioned before, written to *Scotland*, *Anno*, 1557. from *Diepe*, and otherwise, he had infused the above named principles into many, an Oath of confederacy was taken amongst them, and subcription under their hands to some agreement. This gave life to that tumultuary Reformation, much strength being added to it, by the concurrenee of the Sacrilegious; hoping thus to swallow up the Church Revenues, which is more than certain was against *Knox* his mind, and the first Reformers. As we deplore great losses the Church had by this reformation, and do thank God heartily for his admirable bounty and mercy in the good of truth we got by it, yet we will never wrong Reformed Religion so much as to account of that as an orderly reformation; we deny not, But it was attended with much Sedition, Faction and Rebellion.

Orders of Reformation prescribed without the authority of Soveraignty.

Anno 1558. without the Authority of Soveraignty, nay, without the knowledg of it, these Confederates, at the direction of their Ministery, prescribed Orders for Reformation of Religion to be observed and practised throughout the whole Kingdom. See *Knox* story, *p.* 217 2. 8.

They

They go farther: they writ an Imperious Letter, to the Religious houſes, in the *name of the Congregation*, commanding all of them to remove from thence againſt ſuch a day, or then they would eject them by force. *Knox*, ibid. They charge their adverſe party to obey their Orders.

Within very ſhort time after, a Parliment being holden by the Queen Regent, (Queen *Mary*'s Mother, and great Grandmother to our gracious Soveraign) they make a Proteſtation, that except they had their deſires, they would go on in their intended courſe of Reformation; that neither they, nor any that joyned with them, ſhould incur therefore any danger in life, or lands, or other Civil Penalties; and that if any violence hapned in purſuit of thoſe matters, they ſhould thank themſelves. It is very obſervable, they were all bound in that Confederacy to aſſiſt and ſtrengthen each other in that courſe. See *Knox* Hiſt. pag. 256. Firſt, here you have the Direction of the Miniſtery. Next you have a Confederacy and bond of mutual defence. Thirdly, you have Orders and Decrees agreed upon in common. Fourthly, you have Warrants iſſued out to make or force all to be put in execution. Fifthly, you have a proteſtation, and that a threatning one too, againſt the Queen Regent and whole Parliament. Sir, are thoſe things conſiſtent with Monarchy? what Scripture? what Father? what practice of the Church doth warrant ſuch a Reformation? They proteſt againſt King and Parliament.

Come on, and you ſhall have them anon in open contemning Soveraign Authority. The Queen Regent, to ſuppreſs theſe beginnings, and to nip them in the bud, cites them to appear at *Stirling*. They appear not, They are out-lawed: all men under pain of Treaſon are inhibited to aſſiſt them. There is no obedience, but all in the confederacy adhere to them. I cannot, for my part, juſtifie this Divinity. They contemn Soveraign Authority.

From diſobedience and contempt, they are guilty of uſurping the Royal Power: for very ſhortly after, *Anno* 1559. immediately after a Sermon preached by *Knox* in *Saint-Johnſtown*, at his exhortation and direction, they fall to the pulling down of the Religious Houſes, and within two or three dayes equal three of them to the ground. Sir, Can it appear that by Holy Writ, or Reaſon, ſuch Popular tumultuary Reformations are warrantable? Is it not intrinſecally inherent in the Crown, or whereſoever Soveraignty is fixed? And ſo they proceeded in *Fife*, *Angus*, *Mornis*, *Stirling*, *Lowthian*, &c. and through the whole Kingdom. See *Knox* Hiſt. p. 263. Here were many goodly and rich Churches ſpoiled, robbed, and caſt down. They uſurp Royal Power.

After

They renounce their lawful Soveraign.

After this they disclaim Soveraign Authority, except it be as they please, and have their desires. The Queen Regent threatned St. *Johnstown*, where this disorder was first acted. They of the Confederacy writ to her in plain terms, "*That except she stayed from that* "*cruelty, they should be compelled to take the Sword of just defence*; "*and protested, that without the Reformation which they desired, they would never be subject to any mortal man.* See Knox pag. 265.

They command all the Brotherhood to be assistants.

More followed. By a Letter they cite all their Brethren to repair unto them; and that you may know that their Letters were Authoritative Commands, and that all the authority is from the *Independent Soveraignty of the Church*, consider how they write to the Nobility, upon pain of Excommunication to joyn with them. *Knox* ibid. *pag.* 268, 269, 272.

They are obeyed: the Queens Herald is abused.

How much this Ecclesiastical Soveraignty did exalt it self above the Civil, is more than apparent in this, that when an Herald in his Coat of Arms commanded all men under pain of Treason, to return to their houses, by publick sound of Trumpet in *Glasgow*; no man obeyed that charge, but went forward to their associates, *Habes confitentem reum.* Knox, pag. 274.

They denounce War against their Adversaries.

They denounce War too, which was ever judged to be the peculiar specifick Prerogative of Soveraignty, for they writ to the Bishops and Clergy, *That except they desisted from dealing against them, they would, with all force and power, execute just vengeance and punishment upon them: and that they would begin the same war, which God commanded Israel to execute against the Canaanites.* Which maner of proceeding, they termed a resisting of the Enemy. *Knox Hist.* 275, 276.

They will hear of no peace, but enter into a Combination for mutual defence.

The poor Queen Regent was brought to an Accommodation, and the Assembly at St. *Johnstown* was dismissed. But at their parting, they entred into a League by Oath, that if any one Member of their *Congregation* (this in the *Scottish* is equivalent to *Ecclesia*) should be troubled, they should all *concur, assist, and convene again together, for the defence of the same.* Knox pag. 283.

The Queen Regent finding this Soveraignty over-bear Hers, and the Peace of the Kingdom shaken, by a Declaration published and proclaimed, testified her desire of Peace, and descended so much, that really it was only a Request. They scorned it, would none of it, confuted it by another, did exhort those of their Faction to *encourage themselves in the Lord*, to stand upon their Guard like to the re-builders of *Hierusalem* and the Temple, with the Sword in one hand, and the Bible in another, wherein they gave the Queen many times the Lye,

Lye, and abused her with reproachful and contumelious speeches. The Subjects that continue their obedience are honoured with no better tearm than to be called, *The Queens Faction.* You may read this at leisure and pleasure in *Knox History*, pag. 330. 333. 362. 364. Nay, they renounced their obedience unto Her, protested, that whosoever should take Her part, *should be punished as Traytors, whensoever God should put the Sword of Justice into their hands.* Knox Hist. 364.

At last they rise to the highest pitch of Rebellion, and *Anno* 1560. they depose the Queen Regent, the pre-determination being given, that it was lawful for them to do so, by Mr. *Knox* and Mr. *Wilcocks.* This is upon record yet in that Kingdom, and is set down by Mr. *Knox* himself, *Hist. pag.* 372. 378. And it is observable, that the Queen, if I remember right, lived but a Moneth, or little more, after this pious act. They depose the Queen Regent.

Sir, you will now say, that I speak too hardly of our first Reformers and Reformation, and would know, what is my opinion of them and it. To deal clearly, God is my witness, I am no Papist, but do abhor Popery as much as any, and that I am no Puritan the other party will witness for me. I am bound to speak the truth in my heart: and, to give some satisfaction, I say, 1. First, as I am able, I bless and praise God most heartily, that we were delivered from the Popes Tyranny, and that gross *Egyptian* darkness we were under: which I ascribe to the admirable wisdom, and infinitely transcendent goodness of God. 2. Next, I leave the men to God's mercy; but for the manner of proceeding; the way they took, I dare not, I will not approve it: but will say with *Jacob*, *In concilium eorum ne veniat anima mea.* 3. Thirdly, I daily heartily bewail that, that too too much Idolized Reformation in an excessive hatred against Popery, did run too much to the other extream; that the goodly Order and Government necessary of the Church was shouldered out; the publick Service and Worship of God, with its decency, reverence, and comelines, was much defaced, disgraced; that goodly, stately, and rich Churches, were abused, robbed, and equalled to the ground; and that the Church Patrimony was dilapidated: And yet this was not so much done by the first called Reformers, as by their Disciples, *Ætas parentum pejor avis.* The Authors modest opinion of that is called the first Reformation of *Scotland.*

It seareth me, besides that God is punishing our present sins, that, by this scourge, which is guilded with the specious, but spurious compellation of a *glorious, thorow, second-Reformation*, he is in the sane justice punishing the sins of that first Reformation. For my part, I judge

judge verily, that Church had never an orderly and warrantable Reformation, till it was happily begun and advanced by King *James*, when he took the Government in his own hands, and was like to come to a great perfection under the Government of our most gracious Soveraign King *Charles*. Although I deny not but the seed of truth were sown by *Hamilton*, *Wiseheart*, *Mylne*, and others, who before *Knox* his time did preach truth, cast down the Errours of *Rome* in the peoples hearts, were far from stirring up the Subjects against lawful Authority, and like the ancient Martyrs, did suffer patiently and seal the truth of the Gospel with their blood. If *Knox* and his Complices had kept in this way, I am certain that Church had been more happy; nor had we seen such robbery and deformity in the Church. Sure I am, great, many, and more than ordinary sins in them, and us, and our fore-Fathers, have brought us to be plunged in these almost inextricable miseries: And till we proportionably repent, we cannot look to see better dayes, what is dis-joynted in State set aright, and the beauty of God's House restored: Which God of his mercy grant to us, for his only Son Jesus Christ.

By what is said, it appears sufficiently, that this *Spiritual Soveraignty* is far above the King's Crown and what we undurtook, to make their practises prove their tenets, is more than evident: only one thing rests to be proved, that this Soveraignty may authorize any and every private man to do to the utmost of their power for the Reformation of Religion, to plunder, kill, &c.

Practice of mischief done by private men, and commended by them.

Sir, I refer you to Mr. *Knox* History of the Church of *Scotland*, pag. 143, 144, 145. where relating how Cardinal *Beaton* Archbishop of St. *Andrews*, (a man whom I justifie not, neither commend much) was killed by *Norman Lesly*, *John Lesly*, *Peter Charmichael*, & *James Melvil*, in his own house the Castle of St *Andrews*, who were all only private Gentlemen; and if you will trust *Buchanan*, the cause was a jar betwixt *Norman Lesly* and the *Cardinal*; upon *Knox*'s saith, the quarrel was, the killing of Mr. *George Wiseheart* (a good man undoubtedly.) The *Cardinal* could have no mercy, although he cried pitifully for it, saying I *am a Priest, ye will not slay me*; *Knox* I say, relating this History, commends the fact of *James Melvil*, killing him with grave and pious words in his mouth, as a godly fact. The sum of the story is, when they entred the Cardinal's Chamber with some sixteen or seventeen more, *John Lesly*, and *Peter Charmichael*, fell violently and passionately on him, but *James Melvil* with gravity and piety withdrew them, and said, "*This work and judgment of*

"*God*,

"*God (although it be secret) ought to be done with great gravity.* And "presenting unto him the point of the Sword, said, *Repent thee of thy* "*former wicked life, but especially of thy shedding of the blood of that no-* "*table instrument of God Mr.* George Wiseheart, *which albeit the* "*flame of fire consumed before men, yet cries it a vengeance upon thee,* "*and we from God are sent to revenge it. For, here before my God I pro-* "*test, that neither the hatred of thy person, the love of thy riches, nor the* "*fear of any trouble, thou couldest have done to me in particular, moved* "*or moveth me to strike thee: but only because thou hast been and re-* "*mainest an obstinate enemy against Christ Jesus and his holy Gospel.* And the meek man of God, as he is there termed, stroke him twice or thrice thorow with a stog-sword; and he fell. I give all this, that *James Melvil* did this in revenge of Mr. *George Wiseheart* being slain by the Cardinal; what Divinity will warrant this fact of *James Melvil's* to be a good and godly fact (for so it is noted in the Margent) to a private man to murder or kill thus a Priest, an Arch-bishop of so high dignity? The result of all is, he did it gravely, in cold blood, told him so much, that he was sent from God, he had no private end; the motive stirred him up to this godly fact, was that he had been and remained at that time an enemy to Jesus Christ and his holy Gospel; he exhorted him to repentance; and for all his great sins, as *Knox* writes the story, he allowed him no more time, but so much as was spent in his Godly Harang: for immediately after, he was twice thrust thorow. But those Seraphical Doctors know, *Nescit tarda molimina Spiritus Sanctus*; and the Spirit can work suddenly, *Inter os & offam*; *Inter Pontem & Fontem*, especially where and when they are sent of God to do such great good works. But this is *protestatio contra factum*: Whatever Mr. *Melvil* said in his Protestation, *Knox* doth witness, that the Cardinal being murdered, they seized upon *the Artillery and Ammunition, wherewith that Fortress was plentifully furnished, and likewise upon the rich Hangings, household-stuff of all sorts, Apparrel, Copes, Jewels, Ornaments of Churches, great store of Gold and Silver-Plate, besides no small quantity of treasure in ready Coyn.*

I could instance some practises about the time of the Parliament in *Anno* 1621. commonly called the Marques of *Hamilton's* Parliament, but because that will only reflect upon some particular persons, I pass it willingly and wittingly.

It is most certain, when the pious and learned Doctors of *Aberdeen*, did demand of the Patriarchs of this late Covenant, why they did not by Preaching, Printing, Censuring, or some real deed, expres

their deteſtation of that horrid Fact done by the Raſcally-rout of *Edenburgh* the 23. of *July*, 1937. where, at the firſt reading of the Service there, a great many Biſhops being in the Cathedral Church, the Serving-women roſe barbarouſly within the Church, did throw their Stools at the Biſhop of the place, and the Dean, who was officiating; did cry out moſt horridly, that the Maior, Aldermen, and others within, could hardly compoſe it for a long time; and the worſt and baſeſt of the people, who were without, did throw in great ſtones at the Glaſs-windows, the Doors being ſhut. After the ariſing of the Commotion, to prevent more tumult and danger, and when Service and Sermon were done, the Biſhops, Maior, and Aldermen going home with the Lord Chancellor and ſome B. attending his Grace, the Biſhop, and Dean of *Edenburgh*, with others, were well nigh ſtoned in the ſtreets; when, I ſay, it was demanded of theſe Apoſtles, why they did not condemn this unchriſtian barbarous outrage, void of Piety and Reaſon, and without any example in the Chriſtian Church, the ſum of their Anſwer was, and to this day is, That ſuch a zealous people were to be left to their own Warrant, they knew not by what Spirit they were governed, God worketh great works many times by baſeſt means: and yet thoſe Nobles, thoſe zealous, thoſe intelligent and knowing Chriſtians (whereof many of them in *Edenburgh* were known Coal-ſtealers and Whores) were the firſt *active Inſtruments in this glorious Reformation.* I confeſs this Divinity is ſo tranſcendent and Metaphyſical, that it exceeds my capacity, and is ſo fruitful upon any occaſion to work all or the greateſt of miſchiefs, that I do not ſee how it can conſiſt with peace or ſafety of King, Kingdom, Church, or of any entruſted with greateſt truſt in Church or State. Sir, I believe any rational man may ſee by this, how ſuperlatively this ſpiritual Seignory is above King and Royal Soveraignty. I leave it to your own judgment and memory to recollect it, and to bring home the concluſion that this Government Eccleſiaſtical is inconſiſtent with Monarchy, with the Peace of a Kingdom, and is, or may be, in time, a mother and Nurſe of as much Rebellion and Treaſon, as any Jeſuitiſm of the higheſt dye, if not more. Certainly, *Rome*, although a Whore, and hath a Cup of Abomination in her hand, is not ſo bad nor ſo abominable; I pray God to keep all good Chriſtians clean of both.

Let us go on; In Faith, Worſhip, and all ſpiritual things, they vindicate to themſelves ſuch a Soveraignty, that *King, Council, Parliament*, nay, all together, muſt not touch the Scepter of Chriſt: they

are

are to determine, define, take cogniſance, accuſe, ſentence, puniſh; neither King, nor King and Council, nor King and Parliament, all, muſt aſſume power here; for otherwiſe, it is to intrude upon Chriſt and his Right.

This Soveraignty is of ſo high a ſtrain, ſo large an extent, that when they have decreed any thing in this ſupream infallible Judicatory, that they may have the better obedience, to demand the King and Parliaments approbation; this is not demanded as a thing arbitary, which the King and Parliament may do or not do; or leaving it to his Royal Judgment with the advice of his Parliament, to qualifie or rectifie their Decrees, and Orders; No, no truly; that is to betray the truſt Chriſt hath given them, they need not ſupplicate or petition for it, it is in them but an act of courteſie to ſhew dutiful obedience. And if the King and Parliament will not grant it, they are armed with as much power from Heaven, as to force them to do it, by Excommunication, and making all good Chriſtians joyn with them in God's Cauſe.

When they demand the Royal Confirmation of their Decrees, it is only an Act of Courteſie.

Sir, I fear you think I ſpeak liberally. God forbid I ſhould do it. I doubt not but you have read the *Scottiſh* Pope's Sermon preached at *Weſtminſter*, and Printed by Order of the houſe: ſince you have it, I will not ſpend time and paper to cite his words, which giveth to the King no more. But to make this appear, I give you ſome unanſwerable Reaſons. 1. It is certain in *Scotland*, Mr. *Knox* and his Complices ſet on their Reformation without the Queen, or Queen Regent's authority, or the authority of Parliament. For *Anno* 1558. they made their Confederacy; gave out their Orders for Reformation throughout the whole Kingdom. *Anno* 1559. they acted their Reformation, by caſting down Churches, Abbeys, &c. caſting out Prieſts. Fryers, &c. and all this by their own radical and original Power. Queen *Mary* their true and lawful Soveraign, did authorize them in nothing, ſhe was then in *France*. The Queen *Dowager*, Queen Regent King *James* the Fifth's Widow, having the Soveraignty by fiduciary truſt, in regard of the abſence of the Queen her Daughter; did not authorize it, nay, ſhe did by her authority oppoſe it, contradict it, came in Arms againſt it. The Parliament was not till the year 1560. (how holden for the preſent I cannot tell) but in that Parliament they ſet out a Confeſſion of Faith, reformed Religion: but when they ſent to King and Queen beyond Seas (Queen *Mary* was then married to *Francis* the Second in *France*) to confirm or ratifie the Acts thereof, they denied. When intelligence was given to the Confederates, they

An Inſtance, *Anno* 1559.

professed they little regarded the denial of King and Queen; for, say they, (*Knox Hist.* pag. 500.) *All we did was rather to shew our dutiful obedience, than to beg of them any strength to our Religion.*

Another Instance, *Anno* 1571.

Another in this kind you have; In *Anno* 1571. King *James* then being King, and the Earl of *Marre* being *Regent*, an Assembly, was holden at *Leith*, where, by the Order of the Assembly, and Ordinance of the *Regent* and Council, some Commissioners were appointed from the *Regent* and Council, and some from the General Assembly to condescend upon a *platform of Discipline*, which was agreed to on both sides. The *platform* is, that the Government of the Church shall be by Archbishops, Bishops, Deans, and Chapters, &c. The order and course of all their Nomination, Election &c. is just conform to that in *England* at this day, and as it was in *Scotland* before this *new happy Reformation*. This was enrolled in the Councel-Books of that Kingdom, and stands there to this day: this I know certainly, and if I be not deceived, and almost I dare say it, except they have wronged their most famous, and their most ancient Councels, the platform is upon Record in the *General Assembly-Books*.

Give me leave to tell you by the way one thing, that the *Negative Faith*, which is *sine rugâ, sine maculâ* was framed, *Anno* 1580. and it is believed, that in that Negative Faith, Episcopacy is abjured, as Antichristian; yet *An.* 1581. this same Government is renewed, ratified, and ordained to continue constant, and not be changed till his Majesty come to perfect age, and to be kept or changed then only in what he and his great Council the Parliament, shall think fit, and not otherwise. Before this, the King, his Houshold, and Council, had subscribed the *Negative Faith*; can any man, not void of judgment and discretion, think, that the King, his Houshould, and Council, in subscribing it did judge Episcopacy Popish and Antichristian?

Next, it is worth your notice-taking, that as I honour the good parts which were in *Knox* and his fellow-labourers, I never accounted them as Apostles, men secured from error; yet I will say so much for their justification, that they were greater Enemies to Sacriledg than their after-Disciples; and were not against the Order of Episcopacy, as Popish and Antichristian, as Mr *Andrew Melvil* and his Disciples afterward maintained. Nor were they so foolish, to seclude all Church-men from voyce in Parliament: only their desire was, that seeing the Popish Bishops were allowed to enjoy their Benefices and Rents during their life-time, (this was more than our charitable glorious Reformers allowed to their Protestant Bishops now) with all

all other Priviledges except ſpiritual Juriſdiction, that they ſhould not ſit in Parliament as the *repreſentative of the Church*, but in their places ſhould ſit the *Superintendents and Commiſſioners of the Church*. Which indeed were ſomewhat like to Biſhops, but reſembled more Arch-Presbyters than Biſhops.

To return again thither from whence we digreſſed; After that that platform of Diſcipline was ſo agreed and eſtabliſhed, as we told before, Mr. *Andrew Melvil* comes to *Scotland* about the year 1574. or 75. *ultra-citra*. This man, a good Hebrician and Linguiſt, and full of the *Geneva Talmud* which was now more refined, beginneth to ſet Presbyterian Diſcipline higher, to make a *ſecond book of Policy*, or *devout Imaginations*, acknowledgeth no more Orders in the Church than the Four above-named. A Biſhop was no more in Scripture but the ſame identically with Presbyter. And where Abbots and Priors to his time were nominated and admitted to the Abbies and Priories as Church-men, gave their trials and were *collated* (as they ſpeak) by the Superintendents; This great Doctor found out another Divinity, that there was no Biſhop but a Pariſh Prieſt; Scriptures for Abbots and Priors, there were no ſuch in God's Book. At this time, and, from that they call Reformation to this time, there was Biſhoprick nor Abby annexed to the Crown, and conſequently not impropriate to any Subject. It is true, Lay-men held them *in commendam* by the King's gift, but as men able to do the King and Church good ſervice: and before their right could be compleated or perfected, they were to return to the King from the Superintendent a *Collation* or Certificate, that he was of that ability to do good ſervice to the King and Church. Men ſacrilegiouſly diſpoſed, graſped greedily this Doctrine; and thanked God that their names as *Abbots and Priors were not in the Book of God*. And to have theſe Church-livings and dignities with Biſhopricks annexed to the Crown, and from thence to impropriate them to them, and their Heirs; they deified Mr. *Melvil*, and contributed their beſt wits and uttermoſt power to raiſe Presbyterial Government higher. And by the *ſole authority of that they call the Church*, they began without the King, Councel or Parliament's conſent or authority, to diſtribute the whole Kingdom into ſo many Presbyteries, as they thought fit in their diſcretion and by the direction of the holy Spirit: and did procure private Subſcriptions to their new Book of Policy, and put it in practice. Sir, I hope you are the more apt to believe this, becauſe you know in *England* the *Diſciplinarians* in *London* meetings debated

They ſet on their Diſcipline by themſelves.

and

and eſtabliſhed their orders, in ſecret and not-warrantable Conventicles, and much about the ſame time; and great correſpondence was entertained betwixt the Scots and the Engliſh at that time. How that Book of Diſcipline was practiſed without any authority, in *Surrey* and *Northampton-ſhire*, and other places, you know well enough.

Now I pray you, When, without Authority, by their own inherent radical Right, they make Orders, reform, eſtabliſh a Diſcipline; Do theſe men imagine, that the concurrence of Chriſtian Authority-Soveraign is abſolutely neceſſary? Or that their demand is any thing elſe but an act of courteſie, when by themſelves and Aſſiſtants they may eſtabliſh and practiſe it?

This ſecond Book of Policy Maſter *Melvil's* Reformation, is the *Epocha* of our ſecond Reformation. The fruits of which I will tell you were, the Annexation of all Biſhopricks, Abbeyes, Priories, *&c.* to the Crown, which was effectuated *Anno* 1587.

If you will caſt your eyes upon *the third glorious Reformation*, that makes the Popes knees ſhake like *Belſhazzers*, when he did ſee the hand-writing on the wall, (that is, if we will ſpeak truly, this deformation which is the diſgrace of reformed Catholick Religion, and which threatneth Church and Religion, King and Kingdom with ruin) you will finde theſe men have ſung a note above *Ela*, have ordered and practiſed more than all that went before them. *Hanc movere nolo Camarinam.* I hope a better wit and more Elegant and Eloquent Pen, ſhall ſometime Anatomiſe this Monſter, and ſo lay it open to the view of the world, that it ſhall appear to be no true brood of the Reformed Catholick Proteſtant Religion.

All muſt preach as they direct.

2. Secondly, another Argument to prove that this Superlative Soveraignty *in ſpiritualibus*, hath all its moſt natural Subjects at it's devotion and obedience, is this, that what they command to be Preached, muſt ſound alike in all their Synagogues. And whoſoever he be that is the Miniſter of the King's Family, he muſt preach the ſame. There is no coequal, corrival, or co-ordinate Power that can do ſo much as *intercedere* make the leaſt ſort of croſſing, oppoſing, or interpoſing. Is it not known that the *Kings Miniſter* in *Scotland* at the direction of this *Conclave*, when his Councel have been to meet frequently for Treaty with Ambaſſadors from forraign Kings, upon the Lord's day or Week-dais Sermon before the meeting, μετὰ παῤῥησίας, *in great freedom of the Spirit*, hath told him all the Counſel of God from Heaven, with a denunciation of Judgments if he

ſwerve

ſwerve from it. And if the King had gone to the Church of *Edenburgh*, a Beardleſs Boy had told him more ſound wiſdome from Heaven, how to article and conclude in matters of higheſt concernment, betwixt him and *Spain*, or him and *France*, than all the wiſeſt Councellors and greateſt Nobles in the Land: and this, forſooth, muſt be the King and Councel's rule.

3. Thirdly, do they not challenge to themſelves the ſole power to appoint publick Faſts, to give the reaſons of it, which ordinarily are, that God's Judgements are incumbent and eminent upon Church and Kingdom, for the ſins of the Governour and Governours, and that the Government is amiſs. And the conſequent or effect of theſe Faſts is, too too frequently and ordinarily, ſome Commotion, Sedition, Rebellion, or, at laſt ſome change of Court, Councel, or Seſſion. They appoint publick Faſts.

I cannot here paſſe by a ſtory as true as ſtrange. While King *James* was in *Scotland*, two French Ambaſſadors had remained ſome months there with him: being ready to depart and take their leave of the King, the King for His own, and the French Kings greater Honour, ſent on a Saturday for the Maior and Aldermen of *Edenburgh*, commanding them the very next Monday to Feaſt the French Ambaſſadors. The miniſters of *Edenburgh* to affront the King, and the King of *France* too, on Sunday intervening indict a ſolemn faſt to be kept to morrow on Monday, the day appointed the Saturday before by His Majeſty for the entertainment of the Ambaſſadors. The Magiſtrates of *Edenburgh* proudly contemne the command of the ſupream ſpiritual powers, and, out of carnal affection, feaſt the King and French Ambaſſadors Royally and Nobly on Monday; When the Miniſters and the good Chriſtians of *Edenburgh* faſt, the King, the Ambaſſadors, and Magiſtrates of *Edenburgh* feaſt, *ô facinus horrendum*! But to avert Gods Judgment from the Land, the Maior and Aldermen were cited and convented(here was ſome favor that the King and Ambaſſadors, were not; but, I will tell you, it was partiality and corruption, for ſome of the Miniſters were the Kings Penſioners, and this kept the King free) to be cenſured for their high Scandal in contemning ſo ſolemn a Faſt. There was much work: but the King who was the chief and almoſt ſole tranſgreſſor, with interpoſed delays' and much ſollicitation and prudence, took off the edge of their zeal, and the purſuit ceaſed. A ſtrange affront offered to K. *James*.

4. That this Aſſembly is Soveraign in *all Spirituals*, admits no Co-

None preaching Treason is censurable by any but by them.

Co-ordinate or Co-equal power, far less a superiour, is clear in this; That if any Preacher be charged before King or Councel for any offence to be punished, if they in any case can cloath it with a spiritual respect, or circumstantiate it so that it may be qualified for the Spiritual High *Sanhedrim*, the party cited and convented, may and ought to appeal to the *General Assembly*, *as to the Judge competent*. Mr. *Andrew Melvil*, if I be not deceived, was the first spiritual Counsellor of Law, that taught this way. It is certain, that what they preach in Pulpit is not censurable by King, Parliament, nor Councel, or any Judge or Judicatory else. There be two reasons for it: one is, that *Spiritus Prophetarum subjecti Prophetis*, the spirits of the Prophets are subject to the Prophets only, 1 *Cor.* 14. the t'other is, whilst men are there in that infallible Pulpit, they are ruled by some superiour good Spirit; and they dare not blame or condemn them, lest they should offend and sin against the Spirit: and so although a man Preach down-right Treason, if it be in this place he is priviledged. It is known and I hope, yet remembred, that after King *James* of blessed memory *Anno.* 1584. made many good Laws to curb the Insolency of Ministers; did by Statute and Act of Parliament declare His Supremacy over Ecclesiastical Persons and Causes; condemn all Judicatories in use which were not by his own authority established; (He meaned the Presbyterial); That the Ministers then did importune the King to repeal them: and when that would not do, did they not fall at last into open railing against him in Pulpit as *an enemy to Christ and his Kingdom?* They dispersed through the Kingdom, infamous libels against his Person and Royal Honour: they branded him as an Apostate from the truth, and reviled him as an offspring of the cruel and bloody house of *Guise*. This forced the King to put out a Declaration *Anno* 1585. in print yet extant, to vindicate himself and his Honour from that unchristian and more than disloyal calumnie. At or about the very same time some fugitive Ministers out of *Scotland*, pretending, they were Persecutors, did in the Pulpits of *London*, with their foul mouths, raile against his Majesty, the wisest and learnedest of Kings: so that the Scottish Ambassador was forced to complain to Queen *Elizabeth* of it: Her Majesty gave present order to the Lord Bishop of *London* then, to silence all the Scottish Preachers ther

Now that this *Sanhedrim* is only competent Judge in *Spiritualibus*, and that one convented before King and Councel, may decline His

and

and the Councel's authority, although he hath preached Treason, appeareth clearly.

1. First if this had not been an ordinary practice before this time, what needeth the making of that Act of Parliament, *Anno* 1584. declaring it Treason, in all times to come, to decline the Power and Jurisdiction of the King and His Councel? 2. Secondly, Has not *James Gibson* Minister at *Pencaitland* witnessed for or against himself rather, in this case, in Print? who publickly in his preachings compared His Majesty unto *Jeroboam*, told him, He should be the least of his Race, reproached him as a Persecutor; and much more of this zealous stuff: Who being convented before the King and Councel, and accused of those pious Crimes, he with that boldness becometh His Order, justified all, saying to His Majesty, *As long as you maintain these cursed Acts of* 1584. *the tyranny of Bishops, you are a Persecutor. And adds, that as* Jeroboam *for the leading of the people of* Israel *from the Laws of the house of* Judah, *and from the true worship of God, was rooted out, he and all his posterity: so should the King (if He continued in that wicked course, maintaining those wicked acts against God) be rooted out and concluded the race.* Much more to the like purpose was said, and, if any look upon the Privy-Councel Books of the Kingdom of *Scotland*, he will find this a truth. He was convented 27. *Decemb. Anno* 1585. This man was an Oracle consulted, and gave his answer in *Coppinger*, *Arthington*, and *Hacket's* extraordinary motion, which story you know better than I.

Mr. *Black*, Minister of St. *Andrews*, was convented too before the King and Councel about the same time, who appealed from King and Councel *to the Presbytery or General Assembly*; this last had spoken against both King and Queen. There was a great business for the two mens Appeals, their Brethren sided so much with them that the King had too much to do. At last out of more than warrantable indulgence, His Maiesty was content to insist no farther against them before His Councel; but to remit their censure to the *General Assembly it self*: before which it was clearly proved, that in Pulpit they had spoken reproachful and treasonable speeches; yet could the King by no power or intreaty obtain of them to inflict any punishment upon them, because, said they, *They knew not with what Spirit they were over-ruled.*

I will shut up this point with one Instance, more than sufficient to make the truth of what I say to appear. Before King *James* came to the Crown of *England*, it was ordinary in *Scotland* to have a *General*

Assembly once a year, and oftner *pro re natâ*, upon any great Exigent. The last which was kept during His Majesties abode there was *Anno* 1602. in the close of which the next ensuing was appointed to be at *Aberdeen*, *An.* 1603. In the interim the King succeeding to Q. *Elizabeth*, and being in *England*, He was so much taken up with the affairs of this Kingdom, that he was necessitated to lay aside those concerned *Scotland*; and for this reason His Maiesty thought it fit to adjourn the Assembly (unto which he had a special eye, knowing their turbulent disposition and experienced in it whilest he was present amongst them) to the next Summer in *Anno* 1604. When the time appointed was come, His Majesties more weighty affairs not suffering him to think upon the *Assemblies business*, he gave order to Prorogate it to another and longer day, which was accordingly done by publick Proclamation, authorized by His Honorable Privy-Council of that Kingdom. Notwithstanding all which, some thirteen or fourteen Godly zealous Brethren must needs meet at *Aberdeen* at the day appointed for the Assembly. They established and formalized the Judicatorie, by constituting a Moderator, a Clerk, and other essential Members of the Court. The Lords of Council understanding this contempt, sent a Gentleman of good quality and place, with an Herald at Arms, to discharge and dissolve the Holy-meeting. The Commissioner and Herald were entertained with as much respect, as before they had given reverence to the Proclamation issued out by the Soveraign authority of the King with the advice of his Honourable Privy Counsel. The *Holy Fathers in the great Sanhedrim* protested and professed, that in Conscience and Duty to Almighty God, they were bound to preserve the Churches right, and could not, would not give way to that power the King Sacrilegiously usurped, which properly and natively belonged to the *Church virtual, The Assembly*. They kept and continued the Assembly some daies, and finding that no more of the holy Brotherhood came to joyn with them, they dissolved, and to preserve the holy right of the Church appointed the time and place of meeting for the next Assembly. The King hearing this gave order to His Privy-Council to cite and convent them before them, and to punish this High contempt. The more *zealous Champions of the Lord of Hosts* appeared, and with an undaunted courage gave into the Lords of Council a *Protestation*, *a Declinator* from the King's Council, and appealed to the next *General Assembly*, as the sole and competent judge in this case and cause, The King's Atturney or Advocate, by order from the Council-Table, was ordained

to

to pursue them criminally before the Lord Justice-General, and that upon the Act of Parliament mentioned before *Anno* 1584. upon which Order, the one half confessed their fault, and easily made their Peace, and obtained pardon. The zealots were convicted of Treason, *ad Terrorem & Exemplum* more than for any other end or respect: and only banished the Kingdom, Of whom the most part thereafter upon their confession and submission were pardoned, came home, lived and enjoyed their own, or at least as good, if not better Benefices. Sir, are these things consistent with Monarchy, or the obedience is due to Soveraignty and its Highest Courts?

The Soveraignty Ecclesiastical, tyrannizeth over Conscience, Body, and Estate.

So absolute and uncontrollable is this high Celestial Court, that it commandeth Conscience and Soul, disposeth of Body and Estate in the point of Religion, that if you conform not in all, neither Soul, nor Body, nor Esttate, can be in Peace; nay, no toleration can be allowed where this soveraignty domineereth. And to make this power of the larger extent, it is certain, their faith and things necessary to Salvation, are of greater latitude than that of the Council of *Trent*.

If any doth not, after a little time granted for information, conform and subscribe to their Confession of Faith, (which is more in Negatives and Destructives, than affirmatives and Positives) their rule of Government, their manner of Worship, and what else in their opinion is necessary to Salvation, (and in this I am sure they are more rigorous than ever God or Catholick Church was, for if you dissent but from them in a Theological Tenet, it is Heresie) you are forthwith excommunicated, *and given over to the Devil*: after which, upon the remonstrance of a Commissioner from the Pretbytery to the civil Judge, there is a Warrant from Supream Authority given out to command you to Conform (this is different from the Writ *De excommunicato capiendo*) or then within few dayes to be put to the horn (that is out-lawed.) Upon disobedience the tender Conscience not conforming, the Out-lawed's Estate moveable (Chattels we call it) become proper to the King. God knoweth, little of this benefit commeth to the King's Thesaurer: but, a *Donator to the Escheit*, which ordinarily is the Convicted's mortal Enemy, for a little composition hath the right made over, and hath the benefit of the Escheit. If, within a year and day he give not obedience and conformity; his whole Revenues and Rents of immoveable Goods are forfeit to the King during his life-time. Some Enemy of His, or Favourite of the Thesaurers, obtaineth the King's Right, and the King hath little or nothing

thing of it. Here you have him ſtript of all his Eſtate moveable, immoveable. Yet here is not an end: but ſtill upon Remonſtrance of the *Presbyteries or Church's Commiſſioner*, another Writ goeth out, which they call Letters of Caption, (that is, if I miſtake not, the Tant' amount of the Writ *De Excommunicato capiendo*) which is directed to all Sheriffs Stuards, Provoſts, *&c.* to ſeize and ſecure his Perſon whereſoever it may be apprehended, and to commit him to cloſe Priſon as a Rebel. If he skulk and hide himſelf, then upon the ſame Remonſtrance goeth out a Writ, which there they call *Letters of Inter-communing* (I know nothing in the Law like this) the intent is, that none of the King's Subjects commune or confer with him *coram* or perſonally, or by Letter or interpoſed Perſon keep intelligence or correſpondence with him; otherwiſe the intercommuner is to be judged and reputed to be a Rebel of the ſame guiltineſs. You will be pleaſed to remember this when the Church requireth all theſe of the civil Magiſtrate (ſo they are pleaſed to term Soveraignty) he is bound to grant them. Now, Sir, I pray you conſider, if this is not in many reſpects worſe than the Inquiſition, when an Opinion in a Theological Tenet different from the aſſured Faith of thoſe *Gamaliels* may bring a man unto all thoſe troubles. Only to make amends for this, remember, this authoritative way preſerveth a Church from Hereſie, Errour, Superſtition, and Schiſm.

This Court is Judge of Treaſon in relation to Religion, and of fit and worthy Counſellors for a King.

There is another practice of the power of this Court, that for the glory of God, the honour of King, the good and preſervation of Church and Religion, it may aſſume to its ſelf to be Judge of what is Treaſon, what is not: who are fit Councellors for a King, who not.

Practice is the moſt ſure infallible and clear proof and demonſtration of power. I will give you one in the caſe of Treaſon, that none dare to ſay it is a Lye, and which can be made good by the authentick and publick Records of Parliament and Councel of *Scotland*; and their own noble Acts of General Aſſembly.

When King *James*, about the age of *Joſias*, (when in holy Writ it is recorded of him that he began to ſeek the Lord with all his heart) had taken the Government of the Kingdom in his own hand; and did Reign and Rule with ſuch Prudence incomparable, admirable, that none could juſtly except againſt Him or His Government: yet ſuch was the reſtleſs ambition of ſome, who could not with patience endure the truſt of others, eſpecially of that Noble worthy *Eſme Duke of Lenox*, His Majeſty's neareſt Kinſman and higheſt Favourite, and that juſtly for His moſt eminent Noble Endowments: Theſe diſ-

discontented Gentlemen layed down a resolution to get the King into their hands and power, and to thrust out that Noble Prince. They watched an oppurtunity, when the King came to his sport of Hunting near to *Saint-Johnstown* with an ordinary attendance (the Noble Peer standing with others at *Edenburgh*, for the King and Kingdoms better service) surprized him fearing no ill, seized his Person, carried him along to the Castle of *Ruthen*, kept him so that none could have access to him, till he was forced to command the Duke of *Lennox* to depart the Kingdom (which out of zeal and love to the King he did, in Winter embarquing at *Dunbritton*, came to *France* and died shortly after) and to change all his Servants they disliked, and to surround him with themselves and their own. They kept their King in captivity the space of nine Moneths, suffering none to come at him but such as they pleased. The wise King put a good face upon a fowl business, seemed to like well of them and their courses. Nevertheless the best and most knowing of Subjects grumbled exceedingly to see their Prince so abused. The Conspirators understanding it, did advise upon the best course to satisfie the people, and to bring them to approve their way. They wrought with the chief Rulers of the Synagogue, and prevailed. At the next General assembly, they give in a Remonstrance to them then sitting in *Edenburgh*, declaring the *Extraordinary Reason* that moved them to secure His Maiesty's Person in the Castle of *Ruthen*: their zeal to the Reformed Religion, which was in imminent and apparent danger by the practices of the Duke, who was sent from *France* to *Scotland* of purpose to corrupt the young King: their care to secure the King's Royal Person, whom the Duke intended to conveigh privately to *France*: their desire to free the Subjects from the bloody tyranny and oppression both of their lives and goods by the malitious disposition and insatiable avarice of those who were about him and over-ruled him; and a great many more specious pretences, (which are not much different from these of this time:) upon this Narrative the humble Petition to this Superlative Soveraignty was, that the holy Brotherhood would be pleased to give an approbation to this their Heroick and Christian fact, and whatsoever was their judgment they would obey it; with this *Proviso*, that it should be made known to all good Christians within the Realm. The Demand was pious and just, the holy Assembly, secured from erring and errour, and not encroaching upon any thing meerly civil, but in a case of so high concernment *in ordine ad spiritualia*, as competent Judges, do take the case into their consideration,

sideration, and after mature deliberation, being assisted with a fancied infallible direction, give out their Verdict, authorise and approve all in substance or circumstance to be holily and justly with much zeal and discretion done. In all this they exceeded not their power, and that because, what was done, was for the advancement of God's glory, the honour and personal safety of the King, and publick good of the Kingdom: That all good people might rest content and be fully satisfied it was further ordained, That all Ministers shall upon their return to their Parishes, intimate so much to all their Flocks; and withal exhort all people to esteem the Actors as good Christians and Patriots, that for the causes above-mentioned were necessitated to take this course, to preserve Religion, to rectifie the Errours of Court, which were brought and wrought to that height that both Religion and Policy were in the greatest imaginable danger. The Ordinance was accordingly performed, to no small grief of honest Subjects and Christians. Sir if there were no more Instances, What do you think of this?

It is worth your notice-taking, that this Noble Duke dying in *France*, who before His coming to *Scotland*, had been bred in Popery, became a Protestant when He came thither, and was King *James* his Convert. While he was a dying, Romish Priests were most earnest for access to reconcile him to that Church; but he, adhering to truth, and protesting with all his Promise to his Cousin King *James*, would admit none, and died in the Communion of the Protestant reformed Church.

The Soveraignty of the Assembly is above all Laws, and may repeal them.

This high Court, the General Assembly, *in ordine ad spiritualia* challengeth and practiseth a Soveraign power above all Civil Laws and Statutes, and Acts of Parliament. And that with that power, that of it self it may repeal and condemn standing Laws and Acts of Parliament, which are in practice, and observed within the Kingdom.

To give you a recent example and instance of this; Since this Assembly of late in this distemper hath recovered its place and power, the Generall Assemblies of *Glascow* and *Edenburgh* have damned Bishops as Antichristian and against their reformation. I wave this. More, they have secluded Bishops or any Church-man from having any Voyce in Parliament, Conventions, or Councel. Thus by their own most proper Ecclesiastical Authority, they have made void many Acts of Parliament there, which before were in force and practice. As that in *Anno* 1584. *Declaring it Treason to call in question the power and authority of any of the three Estates,* (*that is,* Bishops,

Bishops, Lords, and Commons) *or any one of them.* This Act was made only to preserve the Priviledges of the Ecclesiastical Estate inviolable. This is evident by the King's Declaration put forth the year following 1585. Again, they have made void another Act of Parliament in *Anno* 1596. *Ordaining, Ministers that should be provided by His Majesty to Prelacies to have Vote in Parliament; as being the third Estate.* Another in *Anno* 1606.

The same Assemblies, did declare the Acts of the Assemblies of *Glasgow, Perth, &c.* null, void, and unlawful: which notwithstanding were enacted as Municipal Laws, obedience commanded, and practised in the greatest part of the Kingdom. How much King *James* his happy memory is blasted, by these supercilious new Orders of those Assemblies, my Pen blusheth to express.

The same Assemblies have condemned the High Commission Court, declared by Act of Parliament. And this is done upon this ground (which proveth their *Soveraigny in spiritualibus*) because it was not consented to by the Church: That is, the vertual Church, the General Assembly.

When I consider these things, I cannot sufficiently wonder how the High-Court of Parliament of *England*, hath swallowed and sworn their Covenant, which in its right sense doth establish a Court above King and Parliament. Judge you, Sir, if this Oath be *in Judicio, veritate, & justitiâ.*

If King and Parliament be subordinate to this Court *in spiritualibus*, or *in temporalibus in ordine ad Ecclesiastica*, all the reason in the world will plead, that it is most just, that all Judicatories whatsoever, even the Supreamest from whom lieth no Appeal, submit and subject themselves to it. All Judicatories are subordinate to this *Sanhedrim.*

The holy Fathers of this Court have shewn their Right in this Point too. To confirm this, fearing I have wearied you, I will bring but one Instance, and spare to trouble you with more.

This Story can be made good by Records, which I am to tell you. And first, give me leave to inform you, That the *Lords of Session* (who by Act of Parliament are so) are in all *Civil Causes* the Supream Judicatory of the Kingdom under the King. No Judgment passed there can be rectified or reduced by any Judicatory, under the King and Parliament, but by themselves, which is only by *suspension of Execution* of that is judged and decreed, or by *action of Reduction:* Thir is nothing but *Provocatio à Philippo malè edocto, ad Philippum rectiùs edoctum,* This thus premised, I come home.

Mr.

Mr. John Graham, one of the Judges of that associate Body, had commenced an ordinary and proper Suit before the Lords of Session, obtained *Decree and Judgment* according to his Libel. After which, a rumour was noised abroad, that the Writs and Evidences, upon which his Suit and the Judgment upon it were founded, were forged and false. The General Assembly took notice of this injust Decree, as they to whom the inspection of religion and Justice belongeth, and who were bound not to suffer such an unjust Judgment to take place and be executed. They send for Mr. *John Graham*, commanding him by their authority to pass from his *Decree*, to make no use of it against the Party against whom it was obtained, and that because it was purchased upon false grounds, and *it gave occasion of great scandal*, that he being a Judge should make use of such Writs. His answer was, If any would challenge his *Decree or Judgment* upon any just ground, he might have his recourse to the *ordinary Judge*, and take it away by *way of reduction*; but so long as it was not reduced, it concerned him to take the benefit of it. Then seeing that they could not prevail by Admonition, they threatned him with Excommunication, if he did not what they enjoyed. He Appeals from them to the *Lords of Session*, as the only *Competent Judges* in such cases: notwithstanding they resolve to proceed against him. The Lords of Session finding themselves interessed, and the assembly usurping upon them and their power, in this proceeding against one of their own number, who had appealed to them in a civil cause already judged by them; directed some of their number to the Assembly, and desired them not to meddle any more in that business, as being meerly civil, and no wayes belonging to their jurisdiction. This produced no other effect, but incensed the holy Fathers to rail against the Judges as wicked and corrupt men, who sided one with another whether it were right or wrong. The business at last came to this hight, that the Lords of Session (who would not suffer them to encroach upon their Priviledges) by vertue of that Delegate-power and authority they were envested with from the King, threatned to out-law them, and to proclaim them Rebels to the King, if they proceeded any further, and would not admit of the Appeal. The Assembly finding themselves too weak, and not able to make their part good by power (in which case only they will be Martyrs) fell from the pursuit, and all was quieted.

Sir, I pray you to consider, in what condition are they that live under such a Government that is boundless and universal; will give

give Laws to King, Councel, and Parliament; Repeal theirs at pleasures; reduce and make void Decrees and Judgment of highest Judicatories, *&c.* What Peace or Tranquillity can there be in such a State or Kingdom? Give me leave to tell you a true Story. It is known and lamented by all good men this day, how King *James* His Soul was vexed with them, that many times they have made Him fall out in tears. A Noble-man, a most wise man, then Chancellor, seeing the King extreamly troubled at the miscarriage of the Ministery, said to Him: Sir no man is to be blamed, that you are so much troubled with the Ministers, as your self; for when they do any thing amiss, you never cease till by your Royal Prudence and authority you set it aright again: but, would you leave them to themselves, the very body of the People would rise up against them, and stone them out of the Kingdom. His Majesty returned a most pious answer, worthy to be written in letters of Gold in marble, that all Kings may learn it; My Lord, saith He, your advice is shrewd policy, but your counsel is not good piety. If I had no more to do but to serve my self of them for a politick end, your advice is good, and I know it would prove so. But God hath appointed me a Nurse or Father of his Church, it is my charge from my Lord and Master to preserve his Church, and not to ruinate it. Which if I do, God will ruinate me and my Posterity.

King *James*, in the Conference at *Hampton-Court*, hath well observed, that this Ecclesiastical Government prepareth way, and ushereth in a Democratical Government. And he telleth also, that in His Mother Queen *Mary*'s absence, and in his own Minority and nonage, it was much thought upon and intended. Their Maxims of Divinity lead to it: for they say, *Respublica est in Ecclesiâ*: The Church and her policy are the House, the Civil Government is but the Hangings, which necessarily for decency and good order must be made conformable to the House. Monarchy is enmity against the Church. *Catherwood* in his book Intituled *Altare Damacenum*, gives you it in down right tearms, *Naturâ insitum est omnibus Regibus in Christum odium*; and in his Preface or Epistle (I have not the Book by me) he calls K *James*, *Infensissimum & infestissimum purioris Religionis hostem.* And that they may now exercise all their power, and bring the Kingdom to a popular State, which was not so feisible before, it is more than probable, and much to be feared, and with great prudence to be prevented: because the General Assembly hath in it now the prime Noble-men of the Kingdom, Dukes, Marquesses, Earls, Lords:

the most active and knowing Knights of Counties, and Esquires, the wisest Citizens and Corporations, and this in the capacity of *Ruling-elders*, who discontented are able here to make a Faction, call King, Session Councel, or whom they please before them, because of their supream, universal and independent jurisdiction. And this Judicatory cannot err in its determination, for it is undoubtedly secured from errour, and assisted with infallibility.

A holy trick which hatcheth all Sedition and Treason.

This divine Policy hath another sacred trick to preserve its Soveraignty and to continue it, which is this: The General Assembly ordinarily meets but once a year, yet at the end and close of every General Assembly, there is a choice made of some Commissioners, (a Committee) who are to reside, or at least upon any necessary occasion to be at *Edenburgh*. These are the virtual Assembly, and their power continueth till the next General Assembly. They are in the first place, to intimate to the King the desire and demands of the Assembly, and to see *all due civil Sanction and confirmation given to it*: the King, His Councel, His Parliament can change nothing of their sacred Decrees without their consent. What ever new occurrence is in Church or State *pro re natâ*, these Commissioners are to give order and to see, *ne quid detrimenti Ecclesia capiat*. It is true, their orders bind only in the interim betwixt the two Assemblies, and the next plenary General Assembly may *derogare*, *abrogare*, *obrogare*, *&c.* Yet give me leave to tell you truth, these great Delegates with their power have so much influence upon the next General Assembly, that their προσυλεύματα precognitions and predeterminations are formally and legally enacted. Nor is this to be wondred at: for the *Achitophels* and *Joabs* of Church and Kingdom, the best head-peices of greatest depth, Preaching and Ruling-Elders, are in this Junto.

Here are all disturbing Seditions, and treasonable courses hatched and conceived: whether it be Treason against the King, Sedition in State or kingdom, the change of Court, the removing of Courtiers from the King, the surrounding of him with others, *&c.* The next Assembly owns all their courses, decrees them under pretence of piety, Reformation of abuses, removing of Malignants from the King and from his Councel, from being Judges in the supreamest Judicatories of the Kingdom, *&c.* By this means, at pleasure, when and where they will, they procure Parliaments to work for their own private ends. To facilitate the work, order is given to all Presbyteries, to command all the Ministers to preach to their Flocks, to make

make and keep Fasts, for the danger the Church is in; that the King is inclinable, nay inclining to Popery; that there are none in trust or power by Him, in Court, Councel, Exchequer, or Session, but such as are Popish or Popishly affected: and such they must be, if they once determine it. And woful experience hath confirmed it, that worthy, innocent, and deserving men have suffered, and the King hath been forced to abandon His best Servants.

This close Committee hath all these Prerogatives: 1. During the *interim* betwixt two Assemblies, they have trust to see that all the Orders and Decrees of the Grand Consistory should be put in execution. 2. Next upon any Exigent intervening, they have the power, by their influence upon all the Presbyteries in the Kingdom, to make them go which way they thought fit for their own ends, both to make the Ministers preach their sense, and to work with all the people to believe, the postures of affairs in Church and State were as they informed and represented them. 3. Thirdly, here were all things prepared for the next great meeting of the General Assembly.

By these means things projected were effected. This way the Queen Regent was put from Her Regency. This way Queen *Mary* was expulsed *Scotland*. This way King *James* His captivity at *Ruthen* was found to be good service. This way that Noble Duke of *Lenox*, *Esme*, was made a Papist, and the King forced to abandon him, and he to depart the Kingdom in Winter being sick, and shortly after died in *France*. By this means, if I be not deceived, was that infamous day the 17 of *December*, *Anno* 1596. (*atro signanda lapillo*) renowned for a most horrid Insurrection in *Edenburgh* against Ring *James* and His prime Counsellors, I beg leave to give you a short account of it.

The Story of 17. *December* 1596.

King *James* whilest He was King of *Scotland*, by all forraign Kings Princes and States, was admired for His extraordinary Royal Endowments. Ambassadors from many beyond Seas at the same time and almost constantly, were with him. The smalness of the patrimony of that Crown, was not able to maintain that Royal deportment He kept. Besides, being too too Royally liberal and magnificent, His Coffers were empty, and at this time scarce was His Majesty able to maintain the necessary charge of His house in that measure which was suitable to so Royal a King. To rectifie this, the King with the advice of His Councel, entrusted with all his Rents, Revenues, and Casualties Eight prime men of good worth and integrity, Officers of State, Counsellors and Judges. This was done that all might be rightly regulated, and before all things His Tables at Court kept

like a Kings, that forraign Ambassadors might not espy any want which might derogate from the Honour of King and Kingdom. The ordinary Tables of the Court were regulated; the Courtiers daily allowance was re-trenched; which they could not away with. They and other discontented persons did reproachfully call these men, *The Octavians.* They who grumbled at this, and would right themselves, to gain their intendment, hit upon the ordinary and safest way; that was, to begin with the Church. They inform, The forraign Ambassadors did work upon the King to turn Papist: it was like they would prevail; for these *Octavians* were all such in their hearts, and dissembled only in professing to keep a communion with the Protestant Church; if those were not removed from the King, and good men put about him, Religion, Kingdom, and all were undone. When this had been often informed and suggested, early in the morning on the 17 of *December*, three of the King's domestick Servants came to Mr. *Walter Balcanqual's* house; The Ministery of *Edenburgh*, and others Commissioners of the General Assembly, with some of the best Christians of *Edenburgh* are sent for, they meet there. The King's Servants inform that all was undone, if they did not in time and speedily prevent; for the Marques of *Huntly*, (this was the late Marques who came occasionally the Night before to Court; and it is true he was Popish, but God knows he was free of what he was charged with) say they, was with the King till twelve a Clock at Night in his Bed-chamber yester-night; it is resolved upon to re-erect Popery; and so, many of your best Citizens and Christians are to be seized upon; some to be sent to *Blackness*, some to *Innerness*, some to *Dunbritton*, *&c.* The case was apprehended in that zeal which became the cause. The resolution taken, was, that Mr. *Walter Balcanquel* being to preach that very day in the Chancel of Saint *Giles* Church, which they call the little Church, after Sermon and Prayer done, he should desire all good Brethren and Christians to meet immediately forthwith there for the good of Church and Religion. Noblemen, Gentlemen, Preachers, Burgesses, all who affected the good cause did meet. Mr. *Robert Bruce* was appointed by common consent Moderator. It is laid open in what case Church and Religion, State and Kingdom are, the urgent instant necessity is made to appear. The result of the determination was, that presently they go to Arms: and by holy force, to pull from the King's side those *Popish Octavians*: That a Letter be written to *John Lord* Marques of *Hamilton* to come to *Edenburgh*, to *be Captain of the Congregation*, and in regard

gard the king had made defection from the true Religion, He being the neareſt of the blood ſhould come and take the Government upon him. I know the juſt Copy of this Letter is extant to this day. They run to Arms, the word is, *The Sword of the Lord and Gideon.* The good King was in the place of Juſtice; the prime of the *Octavians* with him; hearing ſomething of the uproar and tumult, by a ſecret paſſage, he and ſome other go up to the Exchequer-houſe over head. A great Lord was Head of the Congregation, he and ſome others came Commiſſioners to the King, were admitted, demanded thoſe *Octavians* to juſtice, the King asked this Lord, How durſt he againſt His Authority, His Laws, His Proclamation, keep unlawful Meetings at *Edenburgh* (for the King before had diſcharged the meeting of thoſe Commiſſioners of Aſſembly, or any other meeting whatſoever without his Royal Warrant.) The Lord, with courage in zeal to a a good Cauſe, told the King, that he ſhould ſee ere long, they durſt do more. The Lord, or ſome other, taketh hold of one of the *Octavians* Gown, who was Preſident of Seſſion; but he pulleth his Gown out of his hand, and conveyeth himſelf down to the houſe where the Lords did ſit in Judgment. In fine, the King and Lords were forced, to ſhun the danger of this tumultuary Inſurrection, to cloſe up the Doors, and ſome to ſtand with their Swords drawn if any ſhould offer violence to break up the Doors. Some good Subjects, eſpecially *Alexander Home* of *Northborvick* for the time Provoſt of *Edenburgh*, and *Roger Mackmath* (whom King *James* ordinarily called his Baily) with others well diſpoſed and Loyally affected Subjects, and namely the *Hammermen* riſe up in Arms for the King, who partly by ſmooth words, and partly by threats, huſht and houſed the Factious and Seditious. The King came out of the place of Judicatory, and on foot, attended with many Nobles, Gentlemen, and other good Subjects, came to His Palace at *Halyrude-houſe* in peace: where immediately in the Afternoon, he convened His Privy-councel, and by his Wiſdom and Authority ſo repreſſed and puniſhed that Inſolency, that all the time of his Reign, the like Barbarous treacherous courſe was never attempted. I hope you are the more apt to believe this, when you remember, What a Petition or Declaration was preſented to Queen *Elizabeth* at *Greenwich*, *Anno* 1582. to remove from Her Service and Truſt ſuch as they know were not well affected to the Religion and Church.

Sir, I could make, it appear how all Seditions almoſt and Rebellions in that Kingdom, have been ſet afoot or ſomented by this Government

vernment Presbyterian: How neighbourly-Feuds have been increased and entertained: How Moneys collected for the relief and support of *Geneva*, were by the chief *Gamaliels* and Presbyters interverted, imployed to raise and pay Souldiers to aid and assist the Earl of *Bothwel* and his Complices in Rebellon against the King. I fear I have wearied you already; the Subject is everlasting, and I am weary of it.

If I should give account of the late practises and tenets of this late Convenant, it were possible to let you see that it hath far exceeded all the mischief ever their fore-fathers did, although they tread in the same footsteps. The reason why I have spared it, is not I feared it, I hope to discover it sometime to the World by anatomising it fully. Next, I hope, you have espied the Noble passages of it; and are sufficiently confirmed, that nothing can be more destructive of Monarchy, and the peace of any Government. To shut up all, give me leave in the close to give the Articles of their Apostatical Creed inconsistent with Monarchy; which they hold as the Twelve Articles of the Apostolical Symbol, I will touch only the prime of those; for their other Articles, they are so many and of so vast an extent, abounding in Negatives, that as King *James* saith well, He that would keep them is not able to keep them in his Brain, but must keep them in a Table-book.

The Articles of the Dogmatical Presbyterian Faith, inconsistent with Monarchy.

Their Dogmatical Creed.

1. AS I have said before; They preach and maintain that the Church is the House of God, the Civil Policy and Government are only the Hangings.

2. Next they believe, All Ministers are *pari consortio honoris & potestatis præditi*, that there must be a parity in the Church. Joyn these two together, and you have a fair way for Democracy.

3. They vindicate to themselves and their Consistory, a soveraign, compleat, universal, independent power in all things spiritual that concern Salvation, they have not only the directive power but the Legislative also; and all temporal things in order to salvation and Religion come within the Verge of their Scepter. All Soveraign Power, (whersoever you fix it, whether in *one*, as in a Monarchy; or in *few*, as in an Aristocracy; or in *many*, or *all*, by vicissitudinary turns) have only the Executive power to do as they command, and is bound

to

to preserve by its Power, Laws, and Arms, their sacred and celestial Priviledges and Soveraignty.

4. Whatsoever Laws civilly exacted by Kings or Parliament they concieve to be against the Laws of the Kingdom of Christ, by their native proper intrinsecal right immediately derived from Christ, they may repeal and make void, discharge the Subject to obey them. They may decree not only different Laws of their own from the standing Laws of the Kingdom, but contrary, contradictory and destructive of them. And have withal so much coactive power, that if obedience be denied to the Laws of this Soveraignty, they can destroy the Souls of the Subjects, by delivering them over to *Satan*.

5. No Minister preaching in Pulpit, Sedition or Treason, or railing at King, Councel, the prime Judges, is accountable, or punishable by King Parliament, Councel or any Judicatory whatsoever; But from all, he may appeal to the *Sanhedrim* and *Consistory* as the sole and proper competent Judge.

6. What Corroboration or civil confirmation or Sanction they demand of the King, which he is able to do civilly (for they will give him no formal interest in any sacred or religious thing) He is bound to Grant it, and to obey them as Christs immediate Vice-gerents, otherwise they may Excommunicate him.

7. Reformation and Preservation of Religion, especially to prescribe the way and Orders for Reformation is solely theirs.

8. The King is bound to put their Orders in execution, but if neither He, nor His Councel, nor His Parliament will do it, the inferior Judges, the Nobles, the Commons, nay, every individual man to his utmost power, at their direction, are bound to do it.

9. That they may without warrant of Supream Authority Assemble where and when they will, for God and Christ's Cause and for the Liberty and Peace of Subject and Kingdom *in ordine ad spiritualia*; and there they may Covenant together, swear, and subscribe for the Glory of God, the advancement of Religion, and conspire and combine in a mutual defence one of another in this holy Cause and League.

10. They teach and maintain, that all Soveraignty and Majesty in a King is originally, immediately, and properly derived from the Community, and that only by way of a fiduciary trust; so that it is habitually and radically still in the people, and the King hath no greater portion or proportion than He hath by the first popular fundamental Constitution. And in case of deficiency, the collective body may supply in Church or State the defects of His Government. For Male-administration

miniſtration the King is cenſurable; For enormous Errours He is depoſable, and they may diſ-inherit His Poſterity.

11. That a deſenſive War is lawful againſt a bad King, or a weak King ſeduced by Malignant Councel.

12. They may oppoſe and reſiſt all his Officers and Commiſſioners by force and violence, if they come to execute His illegal Commands. And if He will be ſo obſtinate that He will come in Arms againſt theſe good Chriſtians, they reſiſt not His Authority, but His Will: nor His Office, but His Perſon.

Beſides, their practice, upon theſe grounds, is to bring all Caſes, all Cauſes, under their Cognition and Judgment, *ſub formalitate ſcandali*; by which the King is robbed of His Sacred Prorogative; The Judges of their Authority, and all Subjects of their Right and Quiet. The reſt of their Extravagant Maxims, inconſiſtent with Monarchy and the peace of Government, are reduceable to theſe Heads. More than this you deſire not.

Sir, being infinitely obliged to you, and honouring you much for your worth and excellent parts, curſorily and haſtily, I have written this anſwer to you. Not intending thereby to reproach any perſon particulary whatſoever, but to lay open to the World how dangerous a Government this is, not only for Monarchy, but for all Governments whatſoever: and that our eyes being opened we may chooſe rather to endure any torment temporary, than to enter into this treacherous and damnable Covenant, deſtructive of Religion, King, Church, Peace of all, and the Liberty of the Subject. To ſwear to theſe things as eſtabliſhed *De jure divino*, and to put on poor people to act Treaſon and Rebellion, making them believe they are Confeſſors and Martyrs. If this give you any ſatisfaction, I have what I deſire: If you doubt of the truth of any thing, I hope I am able to make all here good by faithful and authentick Records, or Teſtimony of ſuch as are worthy of truſt. I pray you keep it for your own uſe only, for I ſhould be loath any but a Friend ſee it, it is ſo rudely done, but I dare ſay, truly and faithfully.

God ſave his Church from this Scourge, and give us Peace and Truth, which ſhall be the daily prayer of

Your poor Friend and

obliged Servant.